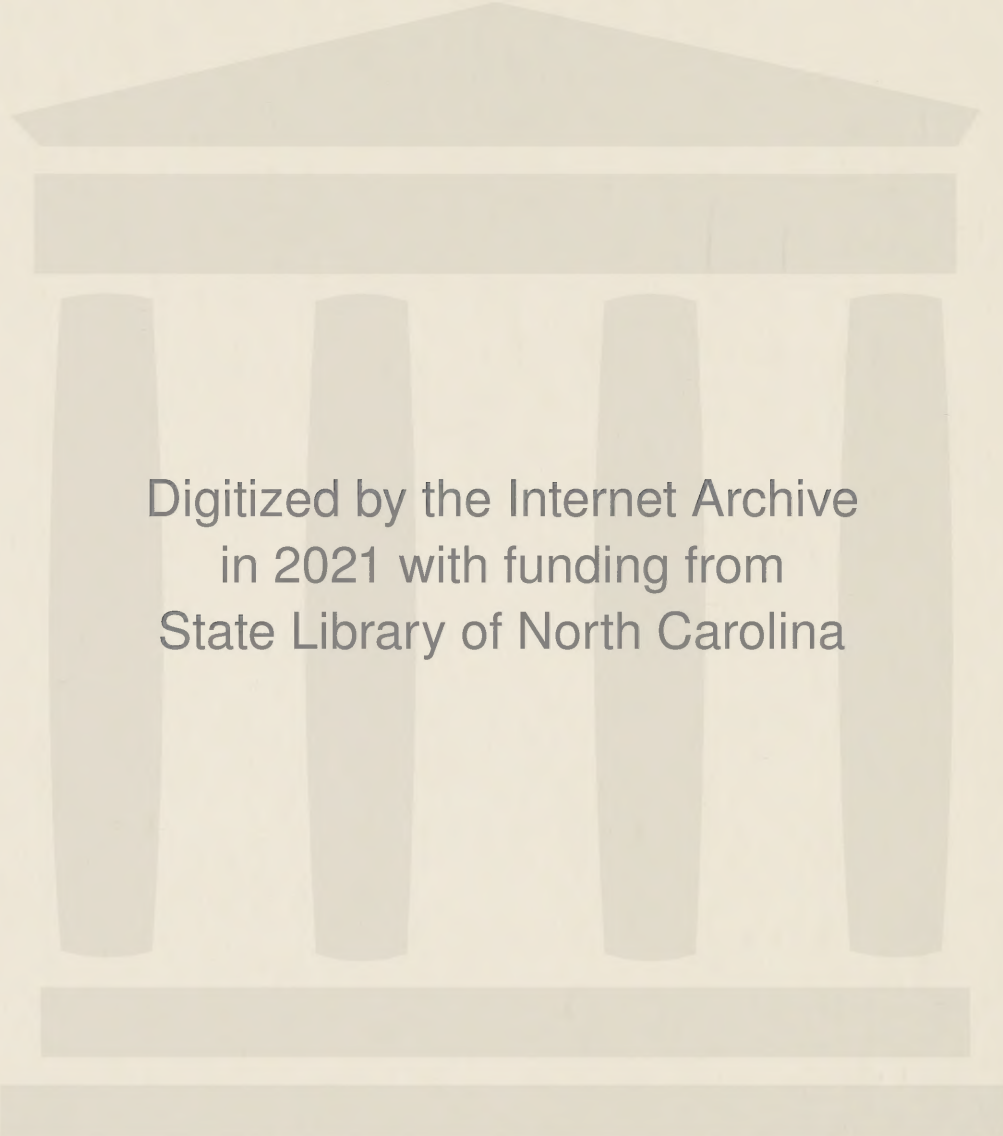




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DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

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BULLETIN NO. 1

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WEDNESDAY, JANUARY 13, 1971

The Institute of Government at the University of North Carolina at Chapel Hill is devoted to research, teaching and service in the fields of state and local government. For more than thirty-five years the Institute has conducted schools and short courses for city, county, and state officials. Through guidebooks, special bulletins, and a monthly magazine, in addition to consultation by phone and letter, assistance and advice are offered to public officials and agencies across the state. The Institute has served as the research agency for numerous study commissions of the state and of local governments. The Institute's professional staff in Chapel Hill now numbers twenty-nine. They are also members of the University faculty. Most of them are trained in law; other staff members are in such disciplines as psychology, political science, planning, and social work.

During sessions of the General Assembly, the Institute maintains a Legislative Service with an office in the ground floor of the State Legislative Building in Raleigh. Each day four or five members of the professional staff travel to Raleigh to provide various services from this office. Chief among them is compiling the DAILY BULLETIN, containing a digest of each bill introduced in the House or Senate and a summary of all legislative action taken on the floor of each chamber. This Daily Bulletin is mailed each evening to about 1,600 city and county officials across the state, is delivered to a number of state offices in Raleigh, and is placed upon each legislator's desk. Other legislative reports are also prepared and distributed, including a WEEKLY BULLETIN OF LOCAL LEGISLATION, a WEEKLY LEGISLATIVE SUMMARY (a discussion and analysis of noteworthy legislation), and a variety of end-of-session reports and analyses.

The DAILY BULLETIN consists of a bill digest section on blue paper, followed by a calendar section on white paper. All Senate and House actions are combined in one listing for public bills and one for local bills in the calendar section. The digest section is divided into public bills (Senate bills first, then House) and local bills. It includes the bill's short title and the General Statutes chapters affected (or counties affected, if a local bill). A digest of all amendments and committee substitutes adopted will be included in the Bulletin near the end of the blue sheets.

In order to provide effective cumulative information on bill status the Institute, in cooperation with the Systems Management Division of the N.C. Department of Administration, administer a computer-based BILL STATUS AND HISTORY SYSTEM. It provides legislative information via video and typewriter terminals in the State Legislative Building. This same system compiles the Calendar Action section of the DAILY BULLETIN.

We hope this DAILY BULLETIN and our other services will provide you the information you need and when you need it.



Institute of Government / the University of North Carolina at Chapel Hill

S 1 (Joint Resolution) Honoring Ellis
Introducer: Mills

MISC. RES.
Passed three readings and sent
to house

"Honoring the life and memory of Albert Joseph Ellis, former member of the North Carolina General Assembly." As title indicates.

S 2 (Joint Resolution) Informing Governor
Introducer: Patterson

MISC. RES.
Passed three readings and sent
to house

"Informing his Excellency, Governor Robert W. Scott that the General Assembly is organized and ready to proceed with public business and inviting the Governor to address a joint session of the Senate and House at 12:30 p.m., Thursday, January 14, 1971, and again at 12:30 p.m., Thursday, January 21, 1971." Identical with H 1, digested in the House section of today's bulletin.

S 3 18 year old vote - 2 (Iden. S 11; H 6; H 9)
Introducer: Warren

CONSTITUTION
Sent to CONSTUTN

"To amend Article VI, Section 1 of the North Carolina Constitution so as to lower the age for voting to 18 years." Identical with H 6 digested in the House section of today's bulletin, and with S 11 and H 9.

S 4 18 year old majority
Introducer: Alley

GS 48A
Sent to CONSTUTN

"To amend the General Statutes so as to lower the age of majority in North Carolina to 18 years of age." Adds GS Chapter 48A changing the common law definition of a minor to any person who has not reached 18 years of age. Effective upon certification by the governor of a constitutional amendment to lower the voting age to 18.

S 5 Statutory construction
Introducer: Burney

GS 12
Sent to JUDICIARY 1

"Regarding statutory construction." Adds to GS 12-4 paragraph providing that whenever a bill is enacted which purports to add or change or delete specific words in an existing statute and which also purports to set out the entire wording of the statute or part of statute as amended, this revised wording shall control should there be any variance between it and the words added or changed.

S 6 Wound reports by hospitals
Introducer: Burney

GS 90
Sent to PUB HEALTH

"To amend chapter 90 of the General Statutes to require certain physicians and hospitals to report certain wounds and injuries." Adds article 1B, GS 90-21.5 requiring physicians and hospitals to report immediately all cases treated involving gun or fire-arm wounds, wounds apparently inflicted by a knife or other sharp pointed instrument, and wounds which may result in death which were actually or apparently inflicted by a deadly weapon. Reports of patient's name, whereabouts and injuries to be made to chief of police of city or town where case is being treated or to sheriff of county in which treated if outside corporate limits; failure to report is misdemeanor. Physicians and institutions reporting in good faith shall have immunity from civil or criminal liability.

S 7 Legislative retirement repeal-1
Introducer: Murrow

GS 120
Sent to ST POLICY

"To repeal Chapter 1269 of the Session Laws of 1969." As title indicates, repeals Chapter 1269 codified as GS 120-4.1, which established a retirement fund for members of the General Assembly. Transfers all assets of Legislative Retirement Fund to General Fund. Dissolves Office of Director of the Legislative Retirement Fund and authorizes Director of the Teachers' and State Employees' Retirement System to terminate the Retirement Fund. Operational costs of the Fund and costs of terminating the fund may be disbursed from Fund's assets, but Service Retirement or Disability Benefits as defined in Chapter 1269 shall not be considered a cost or obligation of the Fund. No person or member shall be considered as having a vested interest in the Fund.

S 8 Legislator finances and ethics (Iden. H 3)
Introducer: Bowles

GS 120
RULES

"Requiring members of the General Assembly to disclose certain financial transactions and to create a legislative committee on ethics." Identical with H 3, digested in the House section of today's bulletin.

S 9 Legislative Retirement repeal-2 (Iden. S 15; H 8; H 13)
Introducer: Bowles

GS 120
Sent to ST POLICY

"To repeal Chapter 1269 of the Session Laws of 1969, establishing a legislative retirement fund for certain members Of the General Assembly." Identical with H 8 digested in today's bulletin and with S 15 and H 13.

S 10 Day-care facilities
Introducer: Combs

GS 110
Sent to PUB RESOURCES

"To protect children through licensing of day-care facilities and other limited regulation." Adds new Art. 7, "Day-Care Facilities", to GS Ch. 110. Creates Day-Care Licensing Board, composed of seventeen members - - five designated state officials or representatives (Comm'rs of Insurance, Mental Health, and Public Welfare, State Health Director and State Supt. of Public Instruction), and twelve citizens, ten of whom must be active operators for profit of day-care facilities, appointed by Governor for staggered six-year terms. Provides that Board chooses chairman from among Governor's appointees. Provides following powers for Board: (1) to provide for issuance of licenses to day-care facilities, (2) to develop higher standards for voluntary compliance by day-care facilities, and a system of ratings to designate those facilities complying, (3) to develop a system of registration for day-care facilities not subject to licensing, (4) to appoint Director, (5) to establish procedures for application, approval, renewal and revocation of licenses, including waiver of inspections and reports, (6) to provide for provisional licenses and waiver of license standards in appropriate instances, (7) to waive standards on recommendation of the Director in certain cases, (8) to furnish forms for implementing this Article, and (9) to serve as administrative appeal body for issues related to licenses. Provides for Director, appointed by Board, with following duties: (1) to administer licensing program, (2) to obtain the services of other units of state or local governments, (3) to hire personnel, (4) to issue licenses pursuant to the Board's policies and to extend terms of licenses for up to six months, (5) to revoke licenses, (6) to prosecute or defend, for State, legal actions arising out of this Article, and (7) to promote educational programs for day-care operators.

Requires operators of facilities which provide for care for more than five children, each under thirteen years of age, for more than four hours on a regular basis and for pay, to procure an annual license from the Board. (Specifically exempts public schools, accredited non-public schools, and full-time residence boarding schools). Requires

operator to demonstrate that facility meets minimum statutory standards. Standards are: (1) requires compliance with minimum health and sanitation standards to be developed by State Board of Health and adopted by Licensing Board, a medical examination and immunization meeting the requirements of GS Ch. 130, Arts. 9 and 9A for each child prior to admission to the facility, a plan of emergency medical care, and separate beds, mats or cots for each child for rest periods; (2) requires that each operator and employee of a day-care facility must be certified at least every three years to be free from tuberculosis and venereal disease; (3) requires that each facility must provide a lunch, snacks, rest periods, and if weather permits outdoors exercise for each child; (4) requires that facilities must be located in areas not hazardous to the physical or moral welfare of the children; (5) requires facilities to be in a building meeting requirements developed specifically for facilities by North Carolina Building Code Council and approved by the Board; (6) requires annual inspection by local fire department, using standards developed by Insurance Dept. and approved by the Board; (7) requires minimum floor space, air space and outdoor play area per child; (8) requires minimum staff-child ratio, depending on ages of children; and (9) provides age and character requirements for staff members. Requires annual license to be issued. Sets procedures for denying or renewing licenses. Provides for administrative review by Board if Director revokes license or lowers rating; action of Board final on review of grade or rating; judicial review of actions of Board reviewing issuance or revocation of license. Provides for gradual implementation of Article through registration of present operators until statutory requirements for license met. Provides that any operator not procuring and displaying license is guilty of misdemeanor.

Adds new GS 105-60 providing that day-care facilities required to procure license must pay privilege license tax of \$2.00 for each child for which it is licensed, up to \$100.00 maximum. Effective date date Jan. 1, 1972.

S 11 18 year old vote-2 (Iden. S 3; H 6; H 9)
Introducer: Kirk

CONSTITUTION
Sent to CONSTUTN

"To amend Article VI, Section 1 of the North Carolina Constitution so as to lower the age for voting to 18 years." Identical with H 6 digested below in today's bulletin and with S 3 and H 9.

S 13 Cigarette tax repeal (Iden. H 12)
Introducer: Bagnal

GS 105
Sent to FINANCE

"To repeal the cigarette tax act." Identical with H 12, digested in House section of today's bulletin.

S 14 Gasoline tax reduction (Iden. H 10)
Introducer: Bagnal

GS 105
Sent to FINANCE

"To amend Chapter 105 of the General Statutes to provide a reduction in the gasoline tax, the special fuels tax and the tax on carriers using fuel purchased outside the State." Identical with H 10, digested in the House section of today's bulletin.

S 15 Legislative Retirement Repeal-2 (Iden. S 9; H 8; H 13)
Introducer: Bagnal

GS 120
POLICY

"To repeal Chapter 1269 of the Session laws of 1969, establishing a legislative retirement fund for certain members of the General Assembly." Identical with H 8 digested in the House section of today's bulletin and with S 9.

S 16 Family purpose doctrine-boats
Introducer: Deane

GS 75A
Sent to JUDIC 2

"To extend the family purpose doctrine with regard to liability for negligence to the operation of motorboats or vessels." As title indicates, adds GS 75A-10.1 providing that when a claimant establishes negligent conduct giving rise to tort liability of an unemancipated minor child living with his parents arising out of an accident in which the child was operating a motorboat or vessel belonging to one or both of his parents, it shall be irrebutably presumed that the child was acting as an agent of the owner and acted within the scope of the agency.

S 17 Electing Highway Commissioners
Introducer: Joyner

GS 136
Sent to ROADS

"To provide for the election of the members of the State Highway Commission." Amends GS 136-1 to provide for appointment of Chairman of Highway Commission by the Governor to serve at the pleasure of the Governor and election of one member of the Commission from each Highway District which shall be the same as each Congressional District, beginning with the primary and general elections to be held in 1972. Members shall be nominated and elected from each district under the same laws and regulations applicable to nomination and election of members of the House in multi-county districts. Terms of members so elected shall begin on Jan. 1, 1973. Vacancies shall be filled by the Governor by appointment of a person from the same party as the person causing the vacancy. Effective July 30, 1971, but present Chairman and members of the Commission shall continue at pleasure of the Governor until Dec. 31, 1972.

S 18 Tax exemption-military retired pay
Introducer: Mills

GS 105
Sent to FINANCE

"To amend GS 105-141(b) to exempt from taxation retirement benefits received by certain retired armed forces personnel." Adds to list of benefits excluded from individual income tax under GS 105-141(b) any retired or retainer pay received by individual over 60 from US for service in armed forces. Applies to income years beginning on or after January 1, 1971.

HOUSE

H 1 (Joint Resolution) Informing Governor
Introducer: Andrews

MISC RES
Postponed Indefinitely

"Informing his excellency, Governor Robert W. Scott, that the General Assembly is organized and ready to proceed with public business and inviting the Governor to address a joint session of the Senate and House at 12:30 p.m., Thursday, January 14, 1971, and again at 12:30 p.m., Thursday January 21, 1971." As title indicates, and further inviting the Governor to deliver such other messages, in person or writing, as he may from time to time desire. Text of the Governor's messages of Jan. 14 and 21, 1971 to be carried in appendices of House and Senate Journals, and 2,000 copies of each address to be printed and delivered to Governor.

H 2 18 year old vote - 1
Introducers: Beatty and others

CONSTITUTION
Sent to CONSTUTN

"To amend Article VI, Section 1 of the North Carolina Constitution so as to lower the age for voting to 18 years, and to provide eligibility to office." Rewrites N.C. Const. Art. VI, Sec. 1, to lower voting age in state elections to 18 years (now, 21), but specifically retains 21 years as prerequisite for holding office within State. Sets out form of ballot to be submitted to voters in Nov. 1972 general election, and makes provision for certification and enrollment of amendment in event of favorable vote. Successful amendment would be effective Jan. 1, 1973. Effective July 1, 1971.

H 3 Legislator finances and ethics
Introducer: Jones of Rutherford

GS 120
Sent to RULES

"Requiring members of the General Assembly to disclose certain financial transactions and to create a Legislative Committee on Ethics." Requires yearly written sworn report by each member of the General Assembly of all personal or family financial interests of \$1,000 or more in any legal entity subject to a regulatory agency or commission of the State; requires reporting of income in excess of \$1,000. Forbids any compensation from any private source for services in connection with duties as member of the General Assembly. Establishes bipartisan Joint Legislative Committee on Ethics (5 Senators, 5 Representatives) to hear complaints of violation of above financial guidelines and by the majority vote of the Committee to provide this information to the solicitor of the superior court district wherein the violation is alleged to have occurred. Any violation of the act to be a misdemeanor. Effective January 1, 1972. Identical to S 8.

H 4 Campaign contributions, expenses
Introducer: Jones

GS 163
Sent to ELECTION

"To amend Article 22, Chapter 163 of the General Statutes relating to reporting of campaign contributions and expenses." Amends GS 163-263 to require that candidates for the House of Representatives from multi-county representative districts file copies of statement of campaign expenses with the Secretary of State rather than with the clerk of the superior court in each county in the district. Amends GS 163-265 to require statements of "candidates" campaign committees, rather than statements of all campaign committees, to be filed. Effective July 1, 1971.

H 5 Permissible abortions
Introducer: Jones

GS 14, 90, 130
Sent to HEALTH

"To provide a statute prescribing the conditions under which abortions may be performed." Rewrites GS 14-45.1 to provide that abortion may be performed by any doctor of medicine licensed to practice in North Carolina upon the written request of the woman or her guardian if: 1) the woman has resided in North Carolina for at least 90 days, (except in emergencies involving danger to life) 2) the abortion is performed in a hospital licensed by the North Carolina Medical Care Commission, and 3) the doctor certifies the fetus is no more than four months old. Requires written permission of parent or person in loco parentis if pregnant woman is minor or incompetent, or (if married) of husband. Permits physician to decline to perform an abortion. Requires any medical facility which generally accepts patients of a particular doctor to accept also those patients to whom he will administer abortions. Defines abortion as not including drugs or substances for avoidance of pregnancy.

H 6 18 year old vote - 2 (Iden. H 9; S 3; S 11)
Introducer: Holshouser

CONSTITUTION
Sent to CONSTUTN

"To amend Article VI, Section 1 of the North Carolina Constitution so as to lower the age for voting to 18 years." Rewrites N.C. Const. Art. VI, Sect. 1 to lower voting age in State elections to 18 years (now, 21) (effect would be to lower age of eligibility to hold office to 18 years as well). Sets out form of ballot to be submitted to voters in Nov. 1972 general election, and makes provision for certification and enrollment of amendment in event of favorable vote. Successful amendment would be effective Jan. 1, 1973. Effective July 1, 1971.

H 7 Tenure for public school teachers
Introducers: Haynes and McDaniel

GS 115
Sent to EDUCATN

"To establish a tenure system for the public school teachers of the state and to provide a procedure for a hearing when it is alleged that a teacher's tenure contract should be terminated." Adds new GS 115-142.1, requiring each city or county board of education to provide, subject to regulation of State Board of Education, a tenure system for public school teachers and principals but not county sup'ts) who (1) are certified, (2) have completed three years (of last five) in probationary service in one administrative unit, and (3) have been reappointed for fourth year. Eliminates annual appointment requirement for those teachers, but allows removal for cause. Defines cause as immorality, misconduct, inefficiency, insubordination, elimination of only position for which teacher qualified, disability, etc.. Establishes board of education hearing procedure for removal of tenured teacher for cause, requiring written notice, counsel, and judicial review by superior court. Makes teachers who now have either five consecutive years or a total of ten years experience in one school unit immediately subject to tenure, all others to remain under current contract or be treated as probationary teachers.

H 8 Legislative retirement repeal (Iden. H 13; S 9; S 15)
Introducer: Ingram

GS 120
Sent to RULES

"To repeal Chapter 1269 of the Session Laws of 1969, establishing a legislative retirement fund for certain members of the General Assembly." Repeals GS 120-4.1 established a retirement fund, supported by funds appropriated to the General Assembly, for the benefit of retired members of the 1969 (or later) General Assembly who are 65 or over and served a total of at least four terms (\$25 per month per term served), and for retired members of the 1969 (or later) General Assembly who are 70 or over and served a total of at least three terms and became disabled during a fourth or later term.

H 9 18 year old vote - 2 (Iden. H 6; S 3; S 11)
Introducer: J.J. Johnson

CONSTITUTION
Sent to CONSTUTN

"To amend Article VI, Section 1 of the North Carolina Constitution so as to lower the age for voting to 18 years." Identical with H 6 digested above in the House section of today's bulletin and with S 3 and S 11.

H 10 Gasoline tax reduction (Iden. S 14)
Introducers: Hege and Kincaid

GS 105
Sent to FINANCE

"To amend Chapter 105 of the General Statutes to provide a reduction in the gasoline tax, the special fuels tax and the tax on carriers using fuel purchased outside the State." Amends Article 36 of GS 105, and particularly GS 105-434 and 105-435 by reducing from nine to seven cents the per-gallon tax on motor fuels sold, distributed or used in this State. Amends GS 105-446 to provide reimbursement for fuels not used on highway at the rate of seven cents per gallon for the year ending Dec. 31, 1971 and at the rate of six cents per gallon for subsequent years. Amends GS 105-446.1 to provide for refunds of taxes in the amount of six cents rather than eight cents to State Highway Commission, counties and municipal governments. Amends GS 105-449 to continue exemption of public schools from paying the specified amount of tax on fuels. Rewrites GS 105-449.01 to provide for refund of two cents per gallon to every distributor who has paid the tax of nine cents per gallon on gasoline on hand as of July 1, 1971, upon filing of inventories with the Commissioner of Revenue.

Amends Article 36A of GS 105 and particularly GS 105-449.16 by reducing from nine to seven cents the per gallon tax paid on special (diesel) fuels, and by providing that one cent of the seven cents shall be applied to reduction of principal, redemption premium or interest on \$300,000,000 of specified State Highway Bonds. Amends GS 105-449.30 to provide for reimbursement for fuels not used on highway at the rate of seven cents per gallon for year ending December 31, 1971 and at the rate of six cents per gallon for subsequent years.

Rewrites GS 105-449.36 to provide for refunds of two cents per gallon to every distributor who has paid the tax of nine cents per gallon on gasoline on hand as of July 1, 1971, upon filing of inventories with the Commissioner of Revenue.

Amends GS 105-449.38 by reducing from nine to seven cents the per gallon tax paid on fuel purchased outside the State by carriers operating within the State. Amends GS 105-449.39 to provide for refunds of two cents per gallon to every distributor who has paid the tax of nine cents per gallon on gasoline on hand as of July 1, 1971 upon filing of inventories with the Commissioner of Revenue. Effective July 1, 1971.

H 11 Suspension of school term
Introducer: Paschall

GS 115
Sent to EDUCATN

"To amend GS 115-36(c) relating to the length of a school term in the public schools."
Amends GS 115-36(c) to allow the State Board of Education, or any local board with the approval of the State Board, to suspend the operation of any school for up to 60 days if "conditions" justify (now only if justified by "low average of daily attendance"). Entitles teachers to normal pay for up to ten days of the suspended term (now no pay at all), retroactive to beginning of 1970-71 school year.

H 12 Cigarette tax repeal (Iden. S 13)
Introducer: Jemison

GS 105
Sent to FINANCE

"To repeal the cigarette tax act." Adds GS 105-113.41 prohibiting tax on sale or possession of cigarettes for sale in State or on use, consumption or possession for use or consumption of cigarettes in State, on or after July 1, 1971. Effective July 1, 1971.

H 13 Legislative retirement repeal - 2 (Iden. H 8; S 9; S 15) GS 120
Introducers: Kincaid and Hege

Sent to RULES

"To repeal Chapter 1269 of the Session Laws of 1969, establishing a Legislative Retirement Fund for certain members of the General Assembly." Identical with H 8 digested above in the House section of today's bulletin, and with S 9 and S 15.

LOCAL BILLS INTRODUCED

SENATE

S 12 Establishing constables
Introducer: Strickland

WAYNE
Sent to COURTS

"To establish the office of constable in each township of Wayne County, to provide for the election, compensation, and duties of constables and to appoint interim constables for Wayne County." As title indicates, provides for election of one constable from each township at next general election in the county to serve for a term of 2 years. County commissioners empowered to establish a fee schedule to compensate constables for serving process, schedule not to exceed that set forth in GS Chap. 7A. Constables to have same authority to make arrests and serve process and executions as sheriff of the county. Eleven persons named to serve as constable until election.

HOUSE

H 14 Columbia spending procedure
Introducer: Burrus

TYRRELL
Sent to LOC GOVT

"To amend the charter of the Town of Columbia, being Chapter 423, Private Laws of 1941 by amending section 23 to provide disbursement of funds by mayor or other duly authorized person and countersigned by the town clerk." As title indicates, to provide that Town monies may only be disbursed on vouchers signed by mayor and countersigned by clerk. In an emergency when mayor fails or refuses to act in disbursing funds, then that person serving as a member of the board of aldermen and appointed by majority vote of the board is authorized to sign vouchers in lieu of mayor.

SENATE AND HOUSE

CALENDAR ACTION

JAN.13,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 1 (J.RES.) HONORING ALBERT JOSEPH ELLIS. S-PASSED 2ND & 3RD READINGS; S-SENT TO HOUSE; H-REC FROM SENATE; H-PASSED 2ND & 3RD READINGS.
S. 2 (J.RES.) INFORMING GOVERNOR. S-PASSED 2ND & 3RD READINGS; S-SENT TO HOUSE; H-REC FROM SENATE; H-PASSED 2ND & 3RD READINGS.

- #H. 1 (J.RES.) INFORMING GOVERNOR. H-POSTPONED INDEF.

The Senate elected the following officers: Senator Frank N. Patterson, Jr., President Pro Tem; Roy Rowe, Principal Clerk; W. Eugene Simmons, Reading Clerk; and Brooks W. Poole, Sergeant-at-Arms. The Senate temporarily adopted the rules of the 1969 session.

The President of the Senate appointed all Senate Standing Committee memberships today. A complete listing of the committee members will be published in tomorrow's bulletin. The following committee chairmen were appointed: Agriculture: White; ABC: Reed; Appropriations: Henley; Banking: Baugh; Congressional Redistricting: Wood; C and D: Allen; Constitution: Warren; Correctional Institutions and Law Enforcement: Strickland; Courts: Bailey; Education: Scott; Finance: Burney; General Assembly Redistricting: Moore; Higher Education: Kirby; Highway Safety: Crawford; Insurance: Norton; Intergovernmental Relations: Rauch; Judiciary 1: Allsbrook; Judiciary 2: McGeachy; Libraries: Taylor; Local Government: Mills; Manufacturing, Labor, Commerce: Staton; Mental Health: Larkins; Public Health: Currie; Public Resources: Staton; Public Roads: Harrington; Public Utilities: Saunders; Rules: Patterson; State Government: Futrell; State Policies: Bowles; University Trustees: Gudger; Veterans: Frink; Wildlife: Folger.

NEXT SESSIONS OF SENATE AND HOUSE:

12:00 noon, Thursday, January 14, 1971.

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DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

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BULLETIN NO. 2

-11-

THURSDAY, JANUARY 14, 1971

PUBLIC BILLS INTRODUCED

SENATE

None

HOUSE

H 15 Blood donors-18 yr. old
Introducers: Lilley and others

GS 90
Sent to JUDIC 1

"To provide that persons eighteen years of age or older may give blood." Adds GS 90-220.11 providing that any person 18 years old or older may donate his blood to an individual, hospital, blood bank, or blood collection center without the consent of his parent or guardian.

H 16 Suspension of school day
Introducer: Paschall

GS 115
Sent to EDUCATN

"To amend GS 115-36(a) relating to the length of a school day in the public schools." Amends GS 115-36(a) to permit suspension of school before six hours of any school day have elapsed in the event of "any other conditions" than emergencies or acts of God. (Adds quoted language.)

H 17 Recorded vote-money bills
Introducer: Paschall

GS 120
Sent to RULES

"To require that the yeas and nays be recorded in both houses of the General Assembly on each of three readings of any bill which appropriates state funds and to require that such appropriation bills be read only one time in any one day." Adds GS 120-20.1 as title indicates.

H 18 \$1.60 minimum wage
Introducer: Davis

GS 95
Sent to MFG LABP.

"To amend GS 95-87 to increase minimum wages." Amends GS 95-87 by increasing statutory minimum wage from \$1.25 to \$1.60 per hour.

H 20 Personalized plates-pickups
Introducer: Barker

GS 20
Sent to HY SAFETY

"To amend GS 20-81.3(a) to make section applicable to private trucks not to exceed 3/4 ton manufacturer's rated capacity." Authorizes Commissioner of Motor Vehicles to issue personalized registration plates to the owners of private trucks as indicated by title.



H 21 Trustee validation
Introducer: Stevens

GS 45
Sent to JUDIC 2

"To amend GS 45-18 relating to the validation of certain acts of substituted trustees before January 1, 1971." Amends GS 45-18 to validate specified acts of substituted trustees when performed before January 1, 1971 but does not affect pending litigation. Substitutes date of January 1, 1971 for date of April 1, 1969 in present statute.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 19 Master form mortgages
Introducer: Smith

ORANGE
Sent to JUDIC 1

"To amend GS 47-21 relating to master forms of mortgages so as to provide that it applies in Orange County." Deletes Orange from list of counties exempted from cited statute, which permits the use of blank or master forms of mortgages and other instruments conveying an interest in property.

SENATE AND HOUSE

CALENDAR ACTION

JAN.14,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- #S. 1 (J.RES.) HONORING ALBERT JOSEPH ELLIS. RATIFIED.
#S. 2 (J.RES.) INFORMING GOVERNOR. RATIFIED.

The Speaker of the House appointed the members of the Committee on Rules and Operation of the House: Ike Andrews, Chairman; W. T. Culpepper, Jr., Julian B. Fenner, and James E. Holshouser, Jr., vice-chairmen; Baker, Barbee, Bryan, Collins, Green, Harkins, Hunter, Jernigan of Hertford, Johnson of Wake, Long, Paschall, Quinn, Snyder, Stevens, and Vogler, members.

The President of the Senate on January 13 appointed the following members to the following Committees:

Agriculture: Vernon E. White, Chairman; Hargrove Bowles, Jr., Vice Chairman; Luther J. Britt, Jr., Vice Chairman; Alley; Bingham; Coggins; Combs; Futrell; Joyner; Knox; Larkins, Jr.; Milgrom; Taylor; and Wood.

Alcoholic Beverage Control: Norris C. Reed, Jr., Chairman; H. Edward Knox, Vice Chairman; Bagnal; Baugh; Coggins; Currie; Flaherty; Harrington; Harris; Henley; Killian; Larkins, Jr.; McLendon, Jr.; Strickland; and Warren.

Appropriations: John T. Henley, Chairman; Jyles J. Coggins, Vice Chairman.

Appropriations Sub-Committee on Education: Herman A. Moore, Chairman; J. Ruffin Bailey, Vice Chairman; Deane, Jr.; Futrell; Kirk, Jr.; McGeachy, Jr.; Mills and White.

Appropriations Sub-Committee on Health, Welfare and Institutional Care: Jyles J. Coggins, Chairman; Zebulon D. Alley, Vice Chairman; Bagnal; Britt, Jr.; Flaherty; Jones; Larkins, Jr.; and Reed, Jr.

Appropriations Sub-Committee on General Government and Transportation: John T. Church, Chairman; Philip J. Baugh, Vice Chairman; Allsbrook; Knox; Norton; Patterson, Jr.; Saunders; and Wood.

Appropriations Sub-Committee on Personnel and Long-range Planning: Lennox P. McLendon, Jr., Chairman; Fred Folger, Jr., Vice Chairman; Allen; Bingham; Gudger; Horton, Jr.; Milgrom; Murrow; and Strickland.

Banking: Philip J. Baugh, Chairman; J. Russell Kirby, Vice Chairman; Alley; Bagnal; Bingham; Church; Coggins; Currie; Flaherty; Harris; Milgrom; Moore; Norton; Saunders; Warren; and Wood.

Congressional Redistricting: George M. Wood, Chairman; Luther J. Britt, Jr., Vice Chairman; Bailey; Baugh; Flaherty; Folger, Jr.; Harris; Horton, Jr.; Joyner; Kirby; Kirk, Jr.; McLendon, Jr.; Murrow; Norton; Patterson, Jr.; and Warren.

Conservation and Development: Gordon P. Allen, Chairman; Zebulon D. Alley, Vice Chairman; William P. Saunders, Vice Chairman; Burney, Jr.; Church; Futrell; Frink; Horton, Jr.; Joyner; McGeachy, Jr.; McLendon, Jr.; Mills; Moore; Patterson, Jr.; Reed, Jr.; Staton; Strickland; and White.

Constitution: Stewart B. Warren, Chairman; Charles B. Deane, Jr., Vice Chairman; Frank N. Patterson, Jr., Vice Chairman; Allsbrook; Bailey; Burney, Jr.; Folger, Jr.; Gudger; Horton, Jr.; Knox; McGeachy, Jr.; and McLendon, Jr.

Correctional Institutions and Law Enforcement: Thomas E. Strickland, Chairman; Lamar Gudger, Vice Chairman; H. Edward Knox, Vice Chairman; Allen; Allsbrook; Bowles, Jr.; Britt, Jr.; Combs; Deane, Jr.; Harris; Larkins, Jr.; McGeachy, Jr.; Milgrom; and Murrow.

Courts and Judicial Districts: J. Ruffin Bailey, Chairman; Joseph J. Harrington, Vice Chairman; Britt, Jr.; Burney, Jr.; Deane, Jr.; Folger, Jr.; Gudger; Harris; Horton, Jr.; Jones; McLendon, Jr.; Patterson, Jr.; and Warren.

Education: Ralph H. Scott, Chairman; Dr. Carl D. Killian, Vice Chairman; Clyde M. Norton, Vice Chairman; Bagnal; Bowles, Jr.; Britt, Jr.; Church; Flaherty; Futrell;

Kirk, Jr.; Strickland; and Taylor.

Finance: John J. Burney, Jr., Chairman; Claude Currie, Vice Chairman; Joseph J. Harrington, Vice Chairman; Marshall A. Rauch, Vice Chairman; Ralph H. Scott, Vice Chairman; Stewart B. Warren, Vice Chairman; Bowles, Jr.; Combs; Crawford; Frink; Harris; Henley; Joyner; Killian; Kirby; Staton; and Taylor.

General Assembly Redistricting: Herman A. Moore, Chairman; Ashley B. Futrell, Vice Chairman; Bagnal; Bingham; Church; Combs; Crawford; Harrington; Jones; Mills; Rauch; Staton; Strickland; Saunders; Taylor; and White.

Higher Education: J. Russell Kirby, Chairman; John T. Church, Vice Chairman; Burney, Jr.; Allen; Coggins; Crawford; Currie; Folger, Jr.; Gudger; Harrington; Jones; Kirk, Jr.; Killian; Knox; McLendon, Jr.; Mills; Patterson, Jr.; Rauch; Scott; Staton; White; and Wood.

Highway Safety: I. C. Crawford, Chairman; Norris C. Reed, Jr., Vice Chairman; George M. Wood, Vice Chairman; Bingham; Bowles, Jr.; Flaherty; Folger, Jr.; Harris; Jones; Kirby; Larkins, Jr.; McLendon, Jr.; Milgrom; Mills; Rauch; and White.

Insurance: Clyde M. Norton, Chairman; Gordon P. Allen, Vice Chairman; Bobby L. Combs, Vice Chairman; Lennox P. McLendon, Jr., Vice Chairman; Allsbrook; Bagnal; Currie; Flaherty; Henley; Jones; Mills; Rauch; and Taylor.

Intergovernmental Relations: Marshall A. Rauch, Chairman; Thomas E. Strickland, Vice Chairman; Baugh; Combs; Kirk, Jr.; Mills; Reed, Jr.; Scott; Warren; and Wood.

Judiciary No. 1: Julian R. Allsbrook, Chairman; John J. Burney, Jr., Vice Chairman; F. O'Neil Jones, Vice Chairman; Crawford; Frink; Horton, Jr.; Knox; Reed, Jr.; Staton; and Strickland.

Judiciary No. 2: N. Hector McGeachy, Jr., Chairman; Lennox P. McLendon, Jr., Vice Chairman; Alley; Bailey; Britt, Jr.; Deane, Jr.; Folger, Jr.; Gudger; Kirby; Patterson, Jr.; and Warren.

Libraries: William C. Taylor, Chairman; Jyles J. Coggins, Vice Chairman; Henley; Horton, Jr.; Jones; Joyner; Kirk, Jr.; McGeachy, Jr.; Murrow; and White.

Local Government: William D. Mills, Chairman; Henry M. Milgrom, Vice Chairman; Allen; Bagnal; Bowles, Jr.; Church; Crawford; Flaherty; Kirk, Jr.; Knox; Moore; and Scott.

Manufacturing, Labor and Commerce: William W. Staton, Chairman; Charles H. Larkins, Jr., Vice Chairman; Alley; Baugh; Frink; Harrington; Knox; Murrow; Rauch; and Taylor.

Mental Health: Charles H. Larkins, Jr., Chairman; Julian R. Allsbrook, Vice Chairman; Dr. Carl D. Killian, Vice Chairman; Britt, Jr.; Coggins; Currie; Joyner; Kirk, Jr.; Taylor; and White.

Public Health: Claude Currie, Chairman; J. Ollie Harris, Vice Chairman; Bingham; Bowles, Jr.; Futrell; Henley; Joyner; Killian; Mills; Rauch; and Scott.

Public Resources: William W. Staton, Chairman; Charles B. Deane, Jr., Vice Chairman; Ashley B. Futrell, Vice Chairman; Bailey; Bingham; Crawford; Harris; Joyner; Killian; Murrow; Patterson, Jr.; and Wood.

Public Roads: Joseph J. Harrington, Chairman; Bobby L. Combs, Vice Chairman; William C. Taylor, Vice Chairman; Bingham; Coggins; Currie; Deane, Jr.; Frink; Futrell; Larkins, Jr.; Milgrom; Moore; Murrow; Norton; Rauch; Reed, Jr.; Saunders; and Scott.

Public Utilities: William P. Saunders, Chairman; J. Ruffin Bailey, Vice Chairman; Allen; Alley; Combs; Folger, Jr.; Horton, Jr.; Gudger; Moore; Norton; Patterson, Jr.; Scott; and Staton.

Rules and Operation of the Senate: Frank N. Patterson, Jr., Chairman; Harry S. Bagnal, Vice Chairman; N. Hector McGeachy, Jr., Vice Chairman; Bailey; Baugh; Burney, Jr.; Folger, Jr.; Harrington; Kirby; Moore; Norton; Strickland; and Warren.

State Government: Ashley B. Futrell, Chairman; Charles H. Larkins, Jr., Vice Chairman; Bailey; Britt, Jr.; Church; Flaherty; Henley; Saunders; Staton; and Strickland.

State Policies: Hargrove Bowles, Jr., Chairman; I. C. Crawford, Vice Chairman; Henry M. Milgrom, Vice Chairman; Allen; Allsbrook; Bagnal; Baugh; Bingham; Deane, Jr.; Frink; Kirby; Kirk, Jr.; Norton; and Staton.

University Trustees: Lamar Gudger, Chairman; F. O'Neil Jones, Vice Chairman; Allen; Alley; Bowles, Jr.; Church; Crawford; Currie; Henley; Murrow; Saunders; and Wood.

Veterans and Military Affairs: S. Bunn Frink, Chairman; J. Ollie Harris, Vice Chairman; Allsbrook; Burney, Jr.; Church; Joyner; Kirby; McGeachy, Jr.; Murrow; and Reed, Jr.

Wildlife: Fred Folger, Jr., Chairman; S. Bunn Frink, Vice Chairman; Vernon E. White, Vice Chairman; Baugh; Combs; Harrington; Horton, Jr.; Killian; McGeachy, Jr.; Moore; and Saunders.

Note: The Senate and House will convene at 10:00 a.m., Friday, January 15, 1971.

SUMMARY OF LEGISLATIVE MESSAGE OF THE GOVERNOR

Delivered at a Joint Session of the General Assembly of
North Carolina at 12:30 p.m., January 14, 1971.

Governor Robert W. Scott presented the broad outlines of his program today to the General Assembly in a 22-page Legislative Message. The principal topics of the message, and the specific recommendations thereunder, were as follows:

State's Economy: Governor's Budget Message, to be presented January 21, will provide new approaches to financial relief for local governments, will provide for the smallest number of additional State positions in 14 years, and will contain the largest capital improvements budget in State history.

State Goals and Policy: Recommends a statutory Council of State Goals and Policy to consider all State Government activities "that relate to the development of our State."

Manpower Development: Recommends a State Manpower Council, to create a State Manpower Plan and evaluate governmental manpower programs.

Minimum Wage: Recommends increasing the State minimum wage from \$1.25 to \$1.60 per hour.

Public Schools: Governor's budget proposals will triple public school kindergarten programs and will request an additional 100 special education teachers and an additional 100 occupational education teachers, though declining attendance will result in 635 fewer total teaching positions in the next biennium. Recommends establishment of a statement of policy to clearly provide free transportation for urban public school students. N. C. Association of Educators will present a proposed Professional Standards Act.

Teachers and State Employees: Budget will recommend 5% salary increase in first year of biennium and 5% additional in second year of biennium for State employees, public school teachers and personnel, and personnel in institutions of higher learning. Will recommend increased retirement benefits for teachers and state employees, to result from liberalizing and clarifying amendments to State Retirement System (to be paid from investment income).

Children and Youth: Recommends establishing a Governor's Advocacy Commission on Children and Youth to serve as spokesman for all phases of child development and children's problems.

Higher Education: Notes the studies that are underway on governance of the public institutions of higher learning (by the Warren Committee), and on student financial aid (by the Phillips Committee); also, the report to be presented by the State Board of Higher Education.

Environmental Matters: Special message on the environment to be submitted by the Governor later in the session, and will recommend an Environmental Protection and Management Act of 1971.

Drugs: Urges consideration of the recommendations of the Drug Study Commission for changes in the laws relating to drugs, creation of a Bureau of Narcotics and Dangerous Drugs within the Department of Justice, and creation of an Inter-Agency Drug Council.

Public Safety: Urges consideration of the Department of Motor Vehicles' suggested changes in the motor vehicle laws. Recommends a statutory N. C. Criminal Justice Academy. Budget will recommend an additional 100 State Highway Patrolmen. Special report on transportation will be presented later in the session.

The Offices of Governor and Lieutenant Governor: Recommends submission to the voters of a constitutional amendment removing the one-term limit for Governor and Lieutenant Governor, and allowing either of them to serve a maximum of two successive terms. Recommends that the office of Lieutenant Governor be considered a full-time position, and be provided a salary in line with other members of the Council of State.

Reorganization: Later special message will recommend structural reorganization of State Government.

Redistricting: Urges that the General Assembly assume the legislative responsibility of accomplishing legislative reapportionment and Congressional redistricting.

Election Laws: Recommends submission to the voters of a constitutional amendment to permit 18 year old voting.

DAILY BULLETIN

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BULLETIN NO. 3

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FRIDAY, JANUARY 15, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 19 (Joint Resolution) Memorializing Williams
Introducer: Patterson

MISC. RES.
Passed three readings and
sent to House

"Honoring the memory of the Honorable Staton Pender Williams, former member of the General Assembly." As title indicates.

S 20 (Joint Resolution) Computerized redistricting GS 120, 163
Introducer: Bowles (Iden. H 22) Sent to RULES

"Authorizing and instructing the Legislative Services Commission to employ computer resources to assist the General Assembly in apportioning population among the congressional and state legislative districts." Identical with H 22 digested in the House section of today's bulletin.

HOUSE

H 22 (Joint Resolution) Computerized redistricting GS 120, 163
Introducer: Bryan (Iden. S 20) Sent to RULES

"Authorizing and instructing the Legislative Services Commission to employ computer resources to assist the General Assembly in apportioning population among congressional and state legislative districts." Authorizes and directs the Commission to use all State and non-governmental computer resources and hire consultants necessary to prepare a plan, to be submitted to the Assembly within 60 days after this resolution is certified, showing all permissible combinations of counties in Congressional districts and all permissible population variances in State legislative districts.



SENATE AND HOUSE

CALENDAR ACTION

JAN.15,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 19 (J.RES.) MEMORIALIZING WILLIAMS. S-PASSED 2ND & 3RD READING.
H. 15 BLOOD DONORS-18 YR. OLD. H-RE-REF COM ON HEALTH.
H. 20 PERSONALIZED PLATES-PICKUPS. H-RE-REF COM ON ROADS.

Next Sessions of Senate:

9:30 a.m., Saturday, January 16, 1971, for the consideration of local bills only.

8:00 p.m., Monday, January 18, 1971.

Next Sessions of House:

10:00 a.m., Saturday, January 16, 1971, for the consideration of local bills only.

8:00 p.m., Monday, January 18, 1971.

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DAILY BULLETIN

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BULLETIN NO. 4

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MONDAY, JANUARY 18, 1971

Note: The Senate convened at 9:30 a.m. and the House at 10:00 a.m. on Saturday, January 16, 1971, for consideration of local bills only.

S 21 (Joint Resolution) Memorializing Humber
Introducer: White and Allsbrook

MISC. RES.
Passed three readings and
sent to House

"Honoring the life and memory of Dr. Robert Lee Humber, former member of the Senate from Pitt." As title indicates.

S 22 Tenure for public school teachers
Introducer: Joyner, Murrow, Kirk

GS 115
Sent to EDUCATN

"To establish a tenure system for the public school teachers of the State to provide a procedure for a hearing when it is alleged that a teacher's tenure contract should be terminated." Identical with H 7 digested in Bulletin No. 1, p.7

S 23 Safe drivers' license renewal
Introducer: Allsbrook

GS 20
Sent to HY SAFTY

"To amend GS 20-7(f) so as to reward safe drivers by eliminating the requirement for taking written and road tests when applying for renewal of operator's license." Amends cited section by eliminating named tests prior to license renewal unless applicant has been convicted of a traffic violation or adjudged negligent in the operation of a motor vehicle during preceeding four-year period, or unless applicant suffers from impairing mental or physical condition.

HOUSE

H 23 Speed limit-rescue squads
Introducer: Speed

GS 20
Sent to HY SAFTY

"To amend G.S. 20-145 regarding applicability of speed limits to police, fire department vehicles and private and public ambulances so as to include rescue squad emergency vehicles." As title indicates, amends cited section to exempt from coverage of speed limitations contained in Article 3 of G S Chapter 20 rescue squad emergency vehicles when traveling in emergencies.

H 24 Right-of-way, rescue squads
Introducer: Speed

GS 20
Sent to HY SAFTY

"To amend G.S. 20-157 with regard to required action on part of operator of a motor vehicle upon approach of police or fire department vehicles so as to make applicable the provisions thereof to public and private ambulances and rescue squad emergency service vehicles." Amends GS 20-157(a) to add requirement for motorists to



right-hand edge of street or highway and stop when approached by a public or private ambulance or a rescue squad emergency service vehicle sounding an audible signal (now, only police or fire vehicle) and to remain stopped until the vehicle passes. Adds subsection (e) to GS 20-157 to make it unlawful for the driver of any vehicle other than one on official business to block an emergency service vehicle that has stopped to render assistance to accident victims or to park within 200 feet thereof.

H 25 Rescue squad safe driver
Introducer: Speed

GS 20
Sent to HY SAFTY

"To amend G.S. 20-156 with regard to exceptions to the right-of-way rule so as to include rescue squad emergency service vehicles." Amends GS 20-156(b) to add requirement for motorists to yield the right-of-way to rescue squad emergency vehicles when such vehicles are on official business and are sounding an audible signal (now, only applies to police and fire vehicles). Statute does not relieve drivers of rescue squad emergency service vehicles from the duty to drive safely or protect them from the consequences of arbitrary exercise of emergency right-of-way.

H 26 Reporting auto accidents
Introducer: Mitchell

GS 20
Sent to HY SAFTY

"To amend Chapter 20 of the General Statutes regarding the duty to report an automobile accident." Adds GS 20-166.2 requiring auto repair shops within 24 hours to report to the Commissioner of Motor Vehicles the arrival of any auto involved in accident covered by GS 20-166.1 (\$100.00 damage or more) or struck by a bullet. Requires officer investigating auto accident to affix sticker to all cars damaged. Requires garage or repair shop to notify law enforcement authorities prior to towing or repairing wrecked auto without such sticker. Makes violations misdemeanors, punishable by \$25-100 fine and/or 90 days' imprisonment.

LOCAL BILLS INTRODUCED

SENATE

None.

HOUSE

H 27 County auditor repeal
Introducer: Paschall

WILSON
Sent to LOC GOVT

"To repeal the local act relating to the office of auditor for Wilson County." Repeals Chapter 15, Public-Local Laws of 1921, which established the office of auditor for Wilson County.

H 28 Stantonburg investments
Introducer: Paschall

WILSON
Sent to LOC GOVT

"Relating to investments heretofore made by the Town of Stantonburg." Validates action of Board of Commissioners of Stantonburg in purchasing stock in Stantonburg Industrial Development Corporation with non-tax revenue.

H 29 Hillsborough Commission terms
Introducer: Smith

ORANGE
Sent to LOC GOVT

"To amend Chapter 196 of the Session Laws of 1963 to change the date upon which the Historic Hillsborough Commission members take office." Provides for term of office of all Commission members appointed after January 1, 1971 to begin on November 1 of year of appointment rather than May 1 (now). Incumbents to serve until successors appointed and qualify.

H 30 Dog law exemption
Introducers: Chase and Kemp

WAYNE
Sent to JUDIC 1

"To exempt Wayne County from the provisions of G.S. 67-34 relating to county payment for damage to livestock by dogs." As title indicates.

H 31 County bond fees limit
Introducers: Chase and Kemp

WAYNE
Sent to LOC GOVT

"To increase the fees chargeable by bondsmen in Wayne County." Provides Wayne bondsmen may charge fee of 10% of the amount of the bond, except that minimum fee on any one bond shall be \$10.00.

SENATE AND HOUSE

CALENDAR ACTION

JAN.18,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 6 WOUND REPORTS BY HOSPITALS. S-RE-REF TO COM ON JUDIC 1.
S. 21 (J.RES.) MEMORIALIZING HUMBER. S-PASSED 2ND AND 3RD READING.

The oath of office was administered to Thomas Harrelson as Representative of the 13th. House District.

Next sessions of Senate and House: 12 noon, Tuesday, January 19, 1971.

#

DAILY BULLETIN

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BULLETIN NO. 5

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TUESDAY, JANUARY 19, 1971

PUBLIC BILLS INTRODUCED

SENATE

None

HOUSE

H 32 (Joint Resolution) Memorializing Stanford MISC RES
Introducers: C. Smith and Andrews Passed three readings and
sent to Senate

"Honoring Donald McIver Stanford, former legislator from Orange County."
As title indicates.

H 33 NC Estuary Study GS 113, STUDY
Introducer: Bryan Sent to CONS & DEV

"To amend Chapter 1164, 1969 North Carolina Session Laws, substituting an earlier date for the submission of a final report on the estuary study to the General Assembly." As title indicates, requires Commissioner of Commercial and Sports Fisheries to submit his final study report concerning a comprehensive plan for the conservation of estuarine resources to the Director of the Department of Conservation and Development by Jan. 1, 1973, rather than Nov. 1, 1973.

H 34 State airport aid GS 113
Introducer: Lilley Sent to CONS & DEV

"To amend G.S. 113-28.8 relating to state aid for city, county and public authority airports." Amends GS 113-28.8(2) to limit loans and grants to municipal, county and public authority airports constructed according to plans approved by the Federal Aviation Agency. Eliminates qualification that airport be a general purpose noncarrier airport.

H 36 Abandoned cemeteries GS 65
Introducer: McKnight Sent to JUDIC 2

"Relating to removal of graves from abandoned cemeteries." Adds to GS 65-15 requirement that the person removing graves file with clerk of board of commissioners of county in which graves are located a record of number and location of graves to be removed, name of deceased, and location to which each grave is removed within 30 days after removal.



H 37 18 year old majority (Iden. S 4)
Introducer: James Johnson

GS 48, 48A
Sent to JUDIC 1

"To amend the general statutes so as to lower the age of majority in North Carolina to 18 years of age." Identical to S 4, digested in Bulletin No. 1 page 2.

H 38 Annual legislative sessions
Introducer: Taylor

CONSTITUTION, GS 120
Sent to RULES

"To provide for annual sessions of the General Assembly." Amends N.C. Const. Art. II, Sec. 11 to provide for regular annual sessions of the General Assembly beginning in 1975 and annually thereafter. Sets out form of ballot to be submitted to voters in Nov. 1972 general election, and makes provision for certification and enrollment of amendment in event of favorable vote. Successful amendment would be effective July 1, following ratification.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 35 County ABC enforcement
Introducer: Culpepper

CHOWAN
Sent to JUDIC 1

"Authorizing the Board of County Commissioners and the County ABC Board of Chowan County to jointly employ law enforcement officers." Authorizes employment of deputy sheriff in lieu of full-time ABC officer to enforce ABC laws in Chowan with all powers and authority conferred by GS 18-45, under contract agreeable to county commissioners and County ABC Board.

H 39 Charter Commission amendment
Introducers: Vogler, Beatty, Cobb, Foley,
Hicks, Lawing, and Campbell

MECKLENBURG
Sent to LOC GOVT

"To amend Chapter 67 of the Session Laws of 1969, to more accurately state the relationship of smaller towns in Mecklenburg County to the consolidated government of Charlotte and Mecklenburg County, and to change the form of the ballots set out in Chapter 67." Amends Sec. 1(c) of Chapter 67 to provide that the consolidated form of government to be devised shall permit towns of Cornelius, Davidson, Huntersville, Matthews, and Pineville to continue as municipalities rather than directing that they be permitted to withdraw from the consolidated government. Amends Sec. 10(a) of Chapter 67 to provide that the ballot proposition shall read for and against consolidation of the government of Charlotte with that of Mecklenburg County rather than for and against charter proposed by the Charlotte-Mecklenburg Charter Commission. Amends Sec. 10(b) of Chapter 67 to provide that the ballot proposition to be submitted to the voters of above-named towns in the event of approval of consolidated government shall read, for and against consolidation with consolidated government rather than for and against withdrawal from new consolidated government.

SENATE AND HOUSE

CALENDAR ACTION

JAN. 19, 1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 5 STATUTORY CONSTRUCTION. S-REPTD FAV.
S. 19 (J.RES.) MEMORIALIZING WILLIAMS. H-REC FROM SENATE; H-PLACED ON CAL FOR JAN 21.
S. 21 (J.RES.) MEMORIALIZING HUMBER. H-REC FROM SENATE; H-PLACED ON CAL FOR JAN 20.
H. 32 (J.RES.) MEMORIALIZING STANFORD. H-PASSED 2ND & 3RD READING.

The Speaker of the House on January 19 named the following members to the following Committees:

Agriculture: James D. Speed, Chairman; T. Clyde Auman, Vice Chairman; J. A. Everett, Vice Chairman; Neill L. McFadyen, Vice Chairman; Barker; Blake; Bostian; Bright; Brown, J.; Burrus; Chase; Eagles; Falls; Gardner; Gentry; Green; Hardison; Harrelson; Hightower; Johnson, J. Marvin; Johnson, Joy; Lawing; Rountree, G.; Smith, A.; Tart.

Appropriations: Kenneth C. Royall, Jr., Chairman.

Appropriations Sub-Committee on Health, Welfare, and Institutional Care: Ernest B. Messer, Chairman; J. A. Everett, Vice Chairman; Howard A. Penton, Jr., Vice Chairman; Arnold; Baker; Bright; Chase; Falls; Farmer, F.; Frye; Hols-houser; Jemison; Jones; Nash; Payne; Rogers.

Appropriations Sub-Committee on Education: James T. Beatty, Chairman; W. T. Culpepper, Jr., Vice Chairman; George Rountree, III, Vice Chairman; Blake; Brown, R.; Davis; DeBruhl; Kemp; Long; Marion; McDaniel; Mohn; Snyder; Soles; Tart; Taylor.

Appropriations Sub-Committee on General Government and Transportation: Roberts H. Jernigan, Jr., Chairman; W. K. Mauney, Jr., Vice Chairman; William T. Watkins, Vice Chairman; Bostian; Bundy; Burrus; Gardner; Green; Harrelson; Ingram; Johnson, James C.; Leatherman; Raynor; Speros; Warlick; Wynne.

Appropriations Sub-Committee on Personnel and Long-Range Planning: C. W. Phillips, Chairman; T. Clyde Auman, Vice Chairman; Julian B. Fenner, Vice Chairman; Collins; Hardison; Haynes; Johnson, J. Marvin; Johnson, Joy; Lawing; Miller; Mitchell; Rhyne; Rountree, G.; Smith, M.; Stewart.

Courts and Judicial Districts: W. Marcus Short, Chairman; J. Eugene Snyder, Vice Chairman; Carl J. Stewart, Jr., Vice Chairman; William T. Watkins, Vice Chairman; Cobb; Davis; Farmer, R.; Foley; Harkins; Harris; Holshouser; Hunt; Huskins; Jones; Josey; Leatherman; Rountree, H.; Venters.

Judiciary No. 1: Samuel H. Johnson, Chairman; James C. Johnson, Jr., Vice Chairman; Jimmy L. Love, Vice Chairman; Perry Martin, Vice Chairman; Brown, R.; Campbell; Davis; Farmer, R.; Harkins; Holshouser; Hunt; Ingram; Long; McMichael; Paschall; Rogers; Rountree, H.; Snyder; Soles; Stewart; Venters; Warlick; Watkins; Whichard.

Judiciary No. 2: James E. Ramsey, Chairman; Henry E. Frye, Vice Chairman; Sneed High, Vice Chairman; Howard Twiggs, Vice Chairman; Andrews; Arnold; Beam; Bryan; Clark; Cobb; Foley; Fulton; Harris; James; Johnson, J. Marvin; Jones; Josey; Miller; Rountree, Short; Smith, M.; Stevens; Taylor.

Finance: Dwight W. Quinn, Chairman; Allen C. Barbee, Vice Chairman; Liston B. Ramsey, Vice Chairman; William R. Roberson, Jr., Vice Chairman; James B. Vogler, Vice Chairman; Andrews; Barker; Beam; Beard; Brown, J.; Bryan; Bumgardner; Campbell; Clark; Cobb; Eagles; Farmer, R.; Foley; Fulton; Gentry; Harkins; Harris; Hege; Hicks; High; Hightower; Hunt; Hunter; Huskins; James; Jernigan, G.; Johnson, S.; Josey; Kincaid; Lilley; Love; Martin; Mason; Mayfield; McFadyen; McKnight; McMichael; Odom; Paschall; Patton; Ramsey, J.; Short; Smith, A.; Smith, C.; Speed; Stevens; Twiggs; Venters; Webster; Whichard.

Next sessions of Senate and House: 12 noon, Wednesday, January 20, 1971.

DAILY BULLETIN

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BULLETIN NO. 6

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WEDNESDAY, JANUARY 20, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 24 Viet Nam prisoners of war (Iden. H 41)
Introducer: Bagnal

MISC RES
Sent to VETERANS

"Expressing concern about the prisoners of war held by the Government of North Vietnam and the Viet Cong." Identical with H 41, digested in the House section of today's Bulletin.

S 25 Unmarked State vehicles
Introducer: Harrington

GS 14, 20
Sent to ROADS

"To amend G.S. 14-250, relating to the license tags of state-owned vehicles." Authorizes Governor and Council of State to permit exemptions from requirement that publicly owned vehicles be marked when it is in the public interest for a State-owned vehicle to remain unmarked.

S 26 Financial responsibility repeal
Introducer: Flaherty

GS 20
Sent to INSUR

"To repeal the Financial Responsibility Act of 1957." As title indicates, repeals Article 13 of Chapter 20 of the General Statutes (compulsory insurance law).

S 27 Auto liab. insurance rates
Introducers: Flaherty and Kirk

GS 58
Sent to INSUR

"Repealing the present Article 25 of Chapter 58 relating to automobile liability insurance rates; to provide a new and competitive method of arriving at private passenger automobile liability rates; to provide a standard for such rates and for the effective regulation thereof; to provide for the licensing, examination and regulation of rating and advisory organizations; to prevent monopoly and collusion in rate-making." Repeals present GS Ch. 58, Art. 25 (Regulation of Automobile Liability Insurance Rates) and enacts new Art. 25 (Automobile Liability Insurance Rates). Requires that following standards to apply to making and use of car insurance rates in NC: (1) rates not to be excessive (that is, unreasonably high and without reasonable degree of competition with respect to applicable classification), inadequate (unreasonably low and continued use would endanger solvency of insurer, or use would destroy competition and create monopoly), or unfairly discriminatory; (2) consideration to be given to loss experience, to reasonable profit and contingency margin, to investment income on unearned premium reserves and loss reserves, to expenses (country-wide and NC) and other relevant factors; (3) systems of expense provisions may differ among insurers to reflect operating methods; (4) risks may be grouped by classifications for rates and penalties, and class rates may be individually modified. Permits two or more insurers to act in concert to make rates or systems, policies, underwriting rules, surveys, etc. Requires



any insurer or group of insurers furnishing statistics pertaining to loss or expense items to rating organization, to send duplicate to Rate Analysis Division of NC Insurance Dep't. Requires every NC insurer, rating organization, advisory organization and group of insurers to maintain records which will enable Comm'r of Insurance to determine compliance with Article. Permits Comm'r to impose penalty up to \$250 for each violation of record-keeping requirement, except wilful violations may be penalized up to \$1000; also permits revocation or suspension of license, after hearing. Requires Comm'r of Insurance, at least every 3 years, to examine each licensed car insurer, rating organization, advisory organization, or group of insurers, to determine if compliance with Article taking place; costs of examination to be paid by person or organization examined.

Permits members or subscribers to rating organizations to use its rates, but may not agree to do so (except as provided in this Article). Authorizes cooperation among rating organizations within scope of this Article. Permits Comm'r of Insurance to require discontinuance of such cooperation he finds, after hearing, to be unfair or unreasonable. Requires all rating organizations operating in NC to secure license from Comm'r. Requires license application contain: copy of organization's constitution, articles of incorp., by-laws, etc., list of members and subscribers; NC resident for service of process; and statement of qualifications as rating organization. Sets application fee at \$200 and annual renewal fee at \$100. Requires for obtaining and retaining license, that rating organization show it will: permit any insurer to become member at reasonable cost or withdraw; not require agreement to use its rates; in no way regulate payment of dividends by members; neither practice nor sanction any plan or act of boycott, coercion or intimidation; nor enter into nor sanction any contract or act restraining person from lawfully engaging in insurance business; and notify Comm'r of all changes in info required in application. Requires Comm'r to issue license within 60 days after application filed if convinced that: business reputation of applicant and officers good; applicant's facilities adequate; and plan of operation conforms to Act. Requires written notice, with reasons, of denial of application.

Requires advisory organizations (defined as persons, firms, etc. other than admitted insurers, preparing policy forms or making underwriting rules, or collecting and furnishing to insurers and rating organizations statistics) to file with Comm'r of Insurance: copy of Constitution, by-laws, etc.; list of members and subscribers; and NC resident for service of process; and to notify Comm'r of any changes in such info.

Requires all auto insurers to file rates or underwriting rules with Comm'r of Insurance, 7 days before putting into effect. Permits Comm'r to examine filing for compliance with standards set out in Act; if determines that violates standards or other part of Act, Comm'r to notify insurer and set date of hearing, at which insurer has burden of satisfying Comm'r of compliance. Requires orders to be made within 30 days after hearing and permits appeal to Wake Superior Court. Provides that order may prohibit further use of rate, or of violation of Act; or may revoke or suspend insurer's certificate of authority or license of rating organization. Permits Comm'r to revoke or suspend license or certificate where earlier order not complied with. Provides that failure to comply with final order of Comm'r will result in fine of \$50, or if failure is wilful, fine may be up to \$5000, and wilful violation is misdemeanor. Provides that collusion to fix or adhere to rates creates treble damage liability plus att'y fees. Permits injunctive action by Insurance Comm'r, Att'y Gen'l, or any person damaged by violation of Act; private action may also lead to treble damages.

Requires that a standard private passenger car liability insurance policy for NC be adopted and used by all insurers writing NC car insurance; must be approved by Rate Analysis Division prior to use. Provides that Act not to abolish NC Assigned Risk Bureau, which is to promulgate a rate for all policies under assigned risk plan, subject to approval of Insurance Comm'n. Requires occasional reports from Insurance Comm'r to Governor and Gen'l Assembly, with final report by Jan. 1, 1975. Re-enacts present GS 58-248.8 (Rates to distinguish between safe and nonsafe drivers), redesignated as GS 58-248.12. Effective Jan. 1, 1972 and applicable to rates of policies written or renewed after that date; to expire June 1, 1975 unless re-enacted by

General Assembly.

S 28 Insurance Rate Analysis Division
Introducers: Flaherty and Kirk

GS 58
Sent to INSUR

"To provide for a Rate Analysis Division within the Department of Insurance; setting forth the duties of the Rate Analysis Division and providing for the staffing and funding thereof." Adds new article 25A to GS Ch. 58, "Rate Analysis Division". Creates Division of Rate Analysis within Dept. of Insurance to consist of director, to be experienced fire, casualty or liability insurance rate analyst, and staff of nine rate analysts hired by director subject to Comm'r approval, plus attorney if needed. Division to analyze rate filings required by GS Ch. 58 or regulation of Comm'r and recommend approval or disapproval to Comm'r of all policy forms, endorsements and other fire, casualty and automobile liability insurance documents and allied lines.

Expenses of rate analysis filings for automobile liability insurance to be paid by filing companies; Comm'r to collect minimum of \$100 a day per rate analyst engaged in study; in joint or concerted filings, fee for additional companies over one to be half of fee for single filing. Division to give company minimum notice of 7-days before undertaking analysis and estimate time of analysis. Upon completing analysis, Division to send statement to filer of time required and amount due.

Requires Comm'r, beginning March 1972 and annually thereafter, to retain up to 1/4 of 1% of premium taxes collected under GS 105-228.5 (tax on gross premiums collected in state by insurance companies) for operating Division, with surplus to revert to State Treasurer at end of each fiscal year. Division to begin duties Jan. 1, 1972.

S 29 Obscenity Act
Introducers: Coggins and others

GS 14
Sent to JUDIC 2

"Prohibiting the dissemination of obscenity." Adds GS 14-190.1 making unlawful the intentional dissemination of obscenity by any person, firm or corporation in any public place. Stipulates presentation of any writing, picture, sound or action whether presented live or transcribed can constitute dissemination of obscenity. Defines material as obscene if it 1) taken as a whole appeals to prurient interest in sex and 2) affronts contemporary national community standards as to representation of sexual matters and 3) is without redeeming social value and 4) is not protected or privileged under the Constitution of the United States or the Constitution of North Carolina. Material to be judged with reference to ordinary adults unless it is designed for or directed to special audiences (such as children). Defines kinds of evidence legally admissible for purposes of proving a violation of this law. Forbids knowing possession or purchase of obscene materials with intention of disseminating it unlawfully. Forbids promotion of sale of material represented as obscene. Makes violation of any section of act a misdemeanor punishable in discretion of court unless another section of the act specifically provides other penalties for particular behaviors or intentions.

Adds GS 14-190.2 which generally requires an adversary hearing prior to seizure of materials. Provides any law enforcement officer who has reasonable cause to believe a violation of 14-190.1 is occurring to present evidence of same to district solicitor. Directs solicitor to file a written complaint with any superior or district court judge or any magistrate of district, said complaint to allege a violation of 14-190.1 and to be directed against and name as respondent the person, firm or corporation believed to be engaging in the suspected unlawful activity. This complaint should 1) seek an adjudication that material is obscene 2) seek a temporary restraining order forbidding removal of material and 3) seek a warrant to search for and seize material. Directs judge or magistrate to summon respondent to appear for a hearing in 2-4 days and to show cause why contested material should not be declared obscene. Empowers judge or magistrate to issue subpoena commanding respondent to

produce copies of all material not already in hands of judicial officer. Empowers judge to issue a temporary restraining order forbidding removal of material. Requires judge or magistrate within two days after hearing to render a decision as to obscenity. Directs judge or magistrate to issue a warrant for seizure of material if he determines it to be obscene or if respondent failed to appear at hearing. Provides judgment or order of enforcement to be of no force or effect outside the judicial district in which it is entered.

Adds GS 14-190.3 forbidding any person, firm or corporation from disseminating any obscene motion picture, posting obscene advertisements, or permitting obscene exhibitions in any tent, booth or building owned or controlled by that person, firm or corporation. Adds 14-190.4 making it a misdemeanor to require purchase of obscene printed materials as a condition for purchase of other printed materials. Adds 14-190.5 forbidding participation in the preparation of obscene film for dissemination in a public place, the offense to be a misdemeanor punishable by a fine not to exceed \$500.00, imprisonment not to exceed 6 months, or both.

Adds 14-190.6 forbidding employing or using any person under 18 years of age to assist in the violation of this act, this offense to constitute a felony punishable by 1-5 years in State prison. Adds 14-190.7 making knowing dissemination of obscene materials to anyone under 18 years of age a felony punishable by 1-5 years in State prison. Adds 14-190.8 making knowing dissemination of obscene materials to minors 12 years of age or younger a felony punishable by 2-10 years in State prison. Repeals GS 14-189 (obscene literature), 14-189.1 (obscene literature and exhibitions), 14-192 (cutting or painting obscene words or pictures near public places), and 14-193 (exhibition of obscene or immoral pictures; posting of advertisements).

S 30 Bennett Place appropriation
Introducer: Allen and Currie

APPROPRIATION
Sent to APPROPRN

"Appropriating funds for Bennett Place State Historic Site." Appropriates from General fund to State Department of Archives and History \$21,432.00 for fiscal year 71-72 and \$21,010.00 for fiscal year 72-73 for maintenance and operation of Bennett Place, \$22,000.00 for construction of manager's residence and \$44,000.00 for construction of maintenance-storage complex at Bennett Place for service to all state historic sites.

S 31 Annual legislative sessions-2 (Iden. H 49)
Introducer: Rauch and Harris

CONSTITUTION, GS 120
Sent to POLICIES

"To provide for annual sessions of the General Assembly." Identical with H 49, digested in the House section of today's bulletin.

HOUSE

H 40 (Joint Resolution) Memorializing Phipps
Introducer: C. Smith

MISC RES
Passed three readings
and sent to Senate

"Honoring Judge Luther James Phipps, former Legislator and District Court Judge." As title indicates.

H 41 (Joint Resolution) Viet Nam prisoners of War MISC RES
(Iden. S 24) Placed on calendar for
Introducer: McKnight 1/21/71

"Expressing concern about the prisoners of war held by the government of North Vietnam and the Viet Cong." Provides that the concern of citizens for the plight of prisoners of war be made known to appropriate national and international officials and news media, and that the State of North Carolina encourage and support campaigns to overcome the intransigence of North Vietnam in this area. Specifically calls for inspection of prison camps by neutral parties; identification of prisoners held, release of seriously ill or wounded prisoners; no interference with flow of mail and packages to prisoners, cessation of use of prisoners for propaganda, and protection of prisoners from public abuse.

H 42 Eure legislative school GS 120
Introducer: Andrews Adopted

"Requesting the Honorable Thad Eure, Secretary of State, to conduct a legislative school of instruction and parliamentary procedure for such members of the House of Representatives and others as may wish it." As title indicates, requests Honorable Thad Eure to conduct school of instruction in parliamentary procedure in accordance with long standing custom.

H 43 18 year old contracts GS 48, 48A
Introducer: James Johnson Sent to JUDIC 1

"To impose contractual obligations on persons eighteen years of age or older." Provides that persons 18 years and older not under legal disability shall be responsible for their contracts and have capacity to sue and be sued thereon.

H 44 Out-of-state divorce process GS 50
Introducer: R. Brown and others Sent to JUDIC 1

"To provide that service of process by registered mail on an out-of-state defendant in a divorce action shall constitute personal service." Amends GS 50-10 to include service of a summons upon the defendant in a divorce action made by registered mail as provided in Rule 4 of Rules of Civil Procedure as constituting personal service and therefore waiver of a jury trial, unless such defendant or plaintiff files a request for a jury trial. Applicable to all divorce actions pending on or after January 1, 1970.

H 46 Teachers' sick leave GS 115
Introducer: Haynes Sent to EDUCATN

"To authorize the State Board of Education to increase sick leave with pay for teachers from five to nine days." As title indicates, amends GS 115-11(13). Effective July 1, 1971.

H 47 Statutory construction (Iden. S 5) GS 12
Introducer: Bryan Sent to JUDIC 2

"Regarding statutory construction." Identical with S 5 digested in Bulletin No. 1, p. 5.

H 48 Establish May Tech. Institute
Introducers: L. B. Ramsey and Messer

APPROPRIATION
Sent to APPROPRN

"To make an appropriation to the State Board of Education for the purpose of establishing the May Technical Institute." As title indicates, appropriates from the General Fund \$100,000 for fiscal 1971-72 and \$100,000 for fiscal 1972-73 to establish and operate in Mitchell, Avery, or Yancey County the May Technical Institute. Authorizes Board of Education to establish and aid the Institute as a member of the N.C. Community College System and to provide for its funding from Mitchell, Avery, and Yancey Counties in accordance with GS 115A-37.

H 49 Annual legislative sessions-2 (Iden. S 31)
Introducer: Barbee

CONSTITUTION, GS 120
Sent to ST GOVT

"To provide for annual sessions of the General Assembly." Amends Art. II, Sec. 11 of N.C. Constitution to provide for regular annual sessions not to exceed 90 days to begin in 1975 and each year thereafter. Sets out form of ballot for amendment to be submitted to voters at next general election, which if approved would take effect on July 1 following its ratification.

LOCAL BILLS INTRODUCED

SENATE

S 32 Landis electric system vote
Introducer: Kirk

ROWAN
Sent to PUB UTIL

"To require any proposed sale of the municipal electric system of the Town of Landis to be first submitted to a vote of the qualified voters of the Town." As title indicates, requires approval of a majority of qualified voters of Town before electrical system may be sold.

HOUSE

H 45 North Wilkesboro retirement
Introducer: J. Brown and Haynes

WILKES
Sent to LOC GOVT

"To authorize the Town of North Wilkesboro to enter into contracts for a retirement system." Permits governing body of North Wilkesboro to contract for a retirement system (including disability and death benefits) for town employees and officials; authorizes payroll deductions from those who elect to participate.

H 50 Abolish county treasurer
Introducers: R. Jernigan and Martin

BERTIE
Sent to LOC GOVT

"To abolish the office of County Treasurer in Bertie County and to impose the duties of County Treasurer upon the County Accountant." Abolishes office of county treasurer effective April 1, 1971 and transfers all power, authority and duties of the office to county accountant, who shall give additional bond to cover new duties. Requires audit of county treasury to be made prior to April 1, 1971.

SENATE AND HOUSE

CALENDAR ACTION

JAN. 20, 1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 5 STATUTORY CONSTRUCTION. S-PASSED 2ND & 3RD READING.
S. 19 (J.RES.) MEMORIALIZING WILLIAMS. S-RECALLED FROM HOUSE;
S-PLACED ON CALENDAR; S-RECONSIDERED 3RD READING; S-FLOOR
AMEND ADOPTED; S-PASSED 3RD READING.
H. 32 (J.RES.) MEMORIALIZING STANFORD. S-REC FROM HOUSE; S-PASSED
2ND & 3RD READING.
H. 40 (J.RES.) MEMORIALIZING PHIPPS. H-PASSED 2ND & 3RD READING;
S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.
H. 41 (J.RES.) VIET NAM PRISONERS OF WAR. H-PLACED ON CAL FOR JAN
21.
H. 42 (H.RES.) EURE LEGISLATIVE SCHOOL. H-PASSED 2ND & 3RD READING.

The Speaker of the House on January 20 named the following members to the following Committees:

Conservation and Development: William R. Roberson, Jr., Chairman; Ernest L. Hicks, Vice Chairman; Daniel T. Lilley, Vice Chairman; Gus Speros, Vice Chairman; Auman; Barker; Brown, J.; Bryan; Bundy; Everett; Foley; Harrelson; Hightower; Jernigan, G.; Jernigan, R.; Kincaid; Love; Marion; Mauney; Mayfield; McKnight; Messer; Nash; Patton; Royall; Smith, C.; Smith, M.; Stewart; Webster; Wynne.

Constitutional Amendments: Herschel S. Harkins, Chairman; Perry Martin, Vice Chairman; Jack L. Rhyne, Vice Chairman; J. Marvin Johnson, Vice Chairman; Beard; Bundy; Davis; Foley; Frye; Huskins; Ingram; Johnson, J. C.; Jones; Josey; Lilley; Long; McDaniel; Miller; Penton; Twiggs; Watkins.

Education: C. Graham Tart, Chairman; Hugh Beam, Vice Chairman; Mrs. John B. Chase, Vice Chairman; Henry E. Frye, Vice Chairman; Brown, J.; Bundy; Farmer, F.; Farmer, R.; Haynes; James; Johnson, J. Marvin; Josey; Marion; Mohn; Odom; Patton; Payne; Ramsey, L.; Raynor; Roberson; Smith, C.; Speed; Watkins; Whichard.

Higher Education: Perry Martin, Chairman; Ike F. Andrews, Vice Chairman; J. Ernest Paschall, Vice Chairman; H. Horton Rountree, Vice Chairman; Barker; Culpepper; Davis; Fenner; Frye; Harris; High; Holshouser; Huskins; Jernigan, R.; Johnson, J. C.; Jones; Kemp; Messer; Penton; Phillips; Quinn; Roberson; Stevens; Vogler; Warlick.

Highway Safety: Julian B. Fenner, Chairman; W. S. Harris, Jr., Vice Chairman; J. Marvin Johnson, Vice Chairman; Howard Twiggs, Vice Chairman; Arnold; Auman; Bright; Bumgardner; Fulton; Hardison; Hunter; James; Kemp; McKnight; Mitchell; Mohn; Patton; Penton; Ramsey, J.; Short; Warlick; Watkins; Wynne.

Next sessions of Senate and House: 12 noon, Thursday, January 21, 1971.
12:30 p.m. Joint Session for Governor's Budget Message.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 7

-39-

THURSDAY, JANUARY 21, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 33 Budget appropriation (Iden. H 53)
Introducer: Henley

APPROPRIATION
Sent to APPROPN

"To make appropriations for current operations of the state departments, institutions, and agencies, and for other purposes." For digest of bill, see green pages in this bulletin.

S 34 Capital appropriation (Iden. H 54)
Introducer: Henley

APPROPRIATION
Sent to APPROPN

"To make appropriations to provide capital improvements for state institutions, departments, and agencies." For digest of bill, see green pages in this bulletin.

S 35 Non-voted capital bonds (Iden. H 55)
Introducer: Henley

APPROPRIATION
Sent to APPROPN

"To authorize the issuance of bonds of the state to provide for capital improvements for state institutions and agencies, such bonds to be issued without an election during the 1971-73 biennium in an amount not in excess of two-thirds of the amount by which the state's outstanding indebtedness shall have been reduced during the 1969-71 biennium." For digest of bill, see green pages in this bulletin.

S 37 (Joint Resolution) Criminal Code Commission
Introducer: Strickland

STUDY, GS 14, 15, 143
Sent to CORRECTN

"Creating the Criminal Code Commission." As title indicates, establishes Commission to study NC criminal law and procedure and on or before Jan. 1 of each odd numbered year file study report with Att'y. Gen. for transmission to General Assembly and recommend legislation deemed advisable. Provides for Comm'n to consist of 26 members, including chairman, and to be appointed by Att'y. Gen.; members already appointed by Att'y. Gen. including W. R. Britt as Chairman ratified, such members to serve until Comm'n terminated. Provides for hiring of staff, meetings, and payment to members per diem and expenses allowed by GS 138-5 for State boards and comm'ns. Comm'n to continue until terminated by General Assembly.

HOUSE

H 51 Open public meetings
Introducer: Paschall

GS 143, 153, 160
Sent to JUDIC 1

"To require that meetings of governmental agencies be open to the public."



Adds article 33B to GS 143 providing for all meetings of any legislative, executive, administrative, or advisory bodies of the State, counties, municipalities, other local boards and subdivisions, etc. to be open to the public.

The following are specifically excepted from this provision: (1) employee collective negotiations, (2) deliberations of the Board of Paroles and State' Probation Commission, (3) SBI meetings where investigations are discussed, (4) meetings where realty acquisition is considered, (5) grand and petit jury sessins, (6) meetings of Council of State, ((7) and meetings of agencies where the Constitution provides that a gov. unit may hold secret meetings. Section not intended to prevent closed sessions to consider appointment, employment, or dismissal of employee or officer, school board committee from hearing student disciplinary cases, or closed sessions on matters of professional ethics or performance. Effective July 1, 1971.

H 52 Navigable waters grants
Introducer: Bryan

GS 113, 146
Sent to CONS & DEV

"To clarify the provisions of G.S. 113-205 and to clarify its application."
Amends GS 113-205 by adding thereto a subsection (c), which defines "navigable waters" as used in that section as being "'estuarine waters' as defined in G.S. 113-229(n)(2) that are deemed navigable." Purpose is to make clear that law requiring registration of private fishery rights applies only to navigable estuarine waters.

H 53 Budget appropriation (Iden. S 33)
Introducer: Royall

APPROPRIATION
Sent to APPROPRN

"To make appropriations for current operations of the state departments, institutions, and agencies, and for other purposes." For digest of bill, see green pages in this bulletin.

H 54 Capital appropriation (Iden. S 34)
Introducer: Royall

APPROPRIATION
Sent to APPROPRN

"To make appropriations to provide capital improvements for state institutions, departments, and agencies." For digest of bill, see green pages in this bulletin.

H 55 Non-voted capital bonds (Iden. S 35)
Introducer: Royall

APPROPRIATION
Sent to APPROPRN

"To authorize the issuance of bonds of the state to provide for capital improvements for state institutions and agencies, such bonds to be issued without an election during the 1971-73 biennium in an amount not in excess of two-thirds of the amount by which the state's outstanding indebtedness shall have been reduced during the 1969-71 beinnium." For digest of bill, see green pages in this bulletin.

H 56 Equal employment opportunity
Introducer: Joy Johnson

GS 126
Sent to MFG LABR

"Concerning equal employment opportunity by state departments and agencies."
Adds GS 126-16 providing that all NC state departments and agencies give equal opportunity for employment without regard to race, religion, creed, national origin, or sex.

H 57 Teacher merit exam
Introducer: Joy Johnson

GS 115
Sent to EDUCATN

"To amend G.S. 115-153 prohibiting the use by the State Board of Education of national teacher examination scores in the certification of public school teachers."

Amends GS 115-153 by adding prohibition that the National Teacher Examination shall not be used as a criterion in teacher certification by the State Board of Education.

H 58 Bennett Place appropriation (Iden. S 30)
Introducer: Wichard, Miller and Royall

APPROPRIATION
Sent to APPROPRN

"Appropriating funds for Bennett Place State Historic Site." Identical with S 30 digested in Bulletin No. 6, p. 34.

H 59 Uniform municipal elections law
Introducer: Johnson of Wake and others

GS 163
Sent to ELECTION

"To make uniform the laws concerning registration of voters in and the conduct of municipal elections, and to remove obsolete matter from the general election laws." Establishes uniform system for conduct of municipal and special district elections and repeals all charter provisions and general laws on this subject. Provides four alternative methods for determining results of municipal and special district elections: partisan, nonpartisan decided by plurality, nonpartisan with nonpartisan primary, and nonpartisan decided by majority with runoff election if necessary (now, nonpartisan decided by plurality under general law; various methods under charters; nonpartisan primary for sanitary districts). Establishes dates of election, all in odd-numbered years, as: partisan--election on Tuesday after first Monday in November; primary on 6th Tuesday before election, and second primary on 3rd Tuesday before election; nonpartisan plurality, election on Tuesday after first Monday in November; nonpartisan primary, election on Tuesday after first Monday in November, primary on fourth Tuesday before election; nonpartisan election and runoff election, election on 4th Tuesday before Tuesday after first Monday in November, runoff election (if necessary) on Tuesday after first Monday in November.

Provides that partisan elections conducted under laws now governing county elections except as to date, filing fee, and filing deadline. Nonpartisan plurality elections decided by greatest number of votes cast without regard to whether highest voter-getter received majority. Nonpartisan primary method calls for primary four weeks before election to narrow field of candidates to two for each position to be filled; candidates then elected by plurality. Nonpartisan election and runoff election method requires that candidates receive majority in order to be elected; majority defined as majority now required for nomination in party primaries; runoff election may be called by second highest voter-getters if no candidate (or insufficient number of candidates) receive majority; runoff election conducted in same manner as second primary in partisan elections. Provides that special districts shall use nonpartisan plurality method. Requires cities to select method before Jan. 31, 1972, by resolution filed with State Board of Elections, with proviso that cities whose elections are now partisan may not select any other method, and cities whose charters now provide for nonpartisan primaries may not select nonpartisan plurality method. Permits change of method of conducting elections only in manner now provided for amendment of city charters (Ch. 160, art. 21).

Requires that all special district elections and elections of towns under 1,000 population be conducted by county board of elections (with special provisions for towns and districts lying in more than one county). Permits cities of 1,000 population or more to conduct their own elections or request county to do so, and requires county to do so if city so requests. Provides for municipal board of elections and precinct officials, subject to supervision and regulation of State Board of Elections, for cities choosing to conduct their own elections. Composition, powers, and duties of municipal boards of elections parallel to that of county boards of elections, except that municipal boards are to be appointed by city council without requirement for party nomination and representation, vacancies on municipal boards filled by

city council, and compensation of municipal board and precinct officials to be fixed by city council.

Establishes system of voter registration for municipal elections in which voters register with county board of elections at same time and on same registration certificates as for State and county elections. Provides three alternative methods of obtaining registration books in cities choosing to conduct their own elections: (1) special registration commissioner system now used in Rocky Mount; (2) city to copy county books; (3) city to use county books. Requires cities to select method of obtaining registration books before Jan. 31, 1972, by resolution filed with State Board of Elections. Requires cities electing to conduct their own elections and selecting method of obtaining registration books to adhere to choice for at least four years, after Jan. 31, 1972, unless county board of elections agrees to a change. Contains special provisions for new registrations in annexed areas and newly incorporated cities and districts.

Subjects all municipal and special district elections to supervisory authority of State Board of Elections (now, State Board has no authority in these elections). Deletes from various sections of Chapter 163 obsolete provisions concerning voter registration in counties not using full-time and permanent registration system (made obsolete as of January 1, 1971, by 1969 legislation requiring full-time and permanent registration in every county as of that date). Adds new provision that when elected officer dies, resigns, or becomes disqualified after election but before taking oath of office, vacancy is declared. Provides that persons appointed to fill vacancies in offices carrying term of more than two years shall serve until next election. Fixes minimum and maximum filing fees, graduated according to population of city or district, and establishes filing deadline. Repeals SL 1967, c. 952, which added requirement for absentee ballots in county bond elections, and provides that no absentee ballots or absentee registration shall be permitted for municipal or special district elections. Exempts nonpartisan municipal elections from portions of Corrupt Practices Act requiring campaign expenditure disclosures.

Effective January 1, 1972.

H 60 Establish constable office
Introducer: Rhyne and Stewart

GS 151
Sent to CONS & DEV

"To establish the office of constable and to provide for their compensation." Repeals Sec. 57(c) of Ch. 1190 of 1969 Session Laws and re-enacts GS Ch. 151 (constables) as it appears in 1964 Replacement Volume 3C, except that GS 151-4 is amended to provide for uniform fees throughout the State for constables of \$2.00 for each arrest, personal service of criminal or civil process, to be assessed as costs and paid to constable (repealed section provided for constables to be allowed same fees as sheriffs).

H 61 Damages-unlawful timber cutting
Introducer: Fenner

GS 1
Sent to JUDIC 1

"To amend G.S. 1-539.1 relating to damages for the unlawful cutting or removal of timber so as to provide that the guilty party shall also pay attorney's fees and appraisal cost." Adds to GS 1-539.1(a) provision permitting bona fide owner to recover from guilty party reasonable attorney's fee and reasonable cost of appraisal of damages (including surveying fee if necessary). Not to affect pending litigation.

H 62 No hunting in quarantine areas
Introducer: G. Jernigan

GS 113
Sent to AGRICULT

"To prohibit the taking of game and non-game animals in counties wherein a quarantine against hog cholera is in effect." Adds GS 113-104.1 making it unlawful to take or attempt to take game or non-game animals in any county in which a hog

cholera quarantine is in effect, punishable by not more than \$100 fine or 30 day imprisonment. Effective Aug. 1, 1971.

H 63 Sales and use surtax act
Introducers: Debruhl and Stevens

GS 105
Sent to FINANCE

"Imposing an additional sales and use tax of one per cent (1%) upon certain taxable transactions." Repeals Division IX, Article 5 of Chapter 105 of General Statutes (local option sales and use tax) and substitutes in lieu thereof a provision imposing an additional 1% sales and use tax upon all transactions now subject to State 3% sales and use tax. Tax to be collected and administered by Comm'r of Revenue subject to same rules, penalties, etc., as are applicable to existing State sales and use tax. After deducting refunds and expenses of administration, Comm'r, on a quarterly basis, shall return to each county the taxes collected therein, and the amounts distributed to the counties shall be allocated between the county and the municipalities therein in proportion to the total amount of ad valorem taxes levied by each during the preceding fiscal year. Taxes levied on behalf of districts shall be included in determining allocation and districts shall share in proceeds in proportion that the district levy bears to the total levy in the county or municipality. Effective July 1, 1971.

LOCAL BILLS INTRODUCED

SENATE

S 36 Goldsboro Charter changes
Introducer: Strickland

WAYNE
Sent to LOC GOVT

"To amend the Charter of the City of Goldsboro, North Carolina, as revised, reorganized and amended by Chapter 447 of the Session Laws of 1961, as amended." Amends Art. 2 to make permanent the provision for regular municipal elections to be held the first Tuesday after the first Monday, in May 1971 and biennially thereafter; municipal primary elections to be held the second Tuesday in April preceding the regular municipal election. Amends Art. 4 eliminating Mayor's duty to be judge of the mayor's court. Eliminates Art. 13 on "Courts" and inserts new Art. 13 "Public Transportation", empowering the City of Goldsboro to provide and subsidize a public transportation system at its governing body's discretion.

HOUSE

None

SUMMARY OF BUDGET MESSAGE OF GOVERNOR

Delivered at a Joint Session of the General
Assembly of North Carolina at 12:30 p.m.,
Thursday, January 21, 1971.

Governor Robert W. Scott delivered an 11-page Budget Message to the General Assembly today, outlining the general provisions of the Budget and indicating the principal areas where increased appropriations are recommended. The principal topics of the message were as follows:

Aid to counties and municipalities: Recommended additional appropriations of \$60.7 million to counties and municipalities for the next biennium to (1) assume counties' share of Medicaid and Work incentive programs, (2) aid municipalities in constructing waste treatment facilities, (3) aid community health centers, (4) construct and renovate local jails, and (5) increase from 1/2¢ per gallon to 1¢ per gallon local government's share of Powell Bill funds for maintenance and improvement of streets and bridges and make formula adjustments for more equitable distribution.

Health, Welfare, and Education: Recommended additional \$17 million for next biennium for care of the aged, disabled, blind, and for dependent children and children in foster homes; the funds are primarily for increased medical services to all groups and for increased number of recipients of Aid to Families with Dependent Children program. Recommended more than \$14 million for capital improvements in mental health system. Additional funds recommended for Cancer Care and Crippled Children programs and for rubella immunization program. In education, recommended additional funds for: (1) kindergarten program, (2) classes for trainable handicapped children, (3) additional special education teachers, (4) elementary school books, and funds to implement library services network, and for continued support of Symphony, School of the Arts, Art Museum, and dramatic arts program at Chapel Hill.

Public Safety and Corrections: Funds recommended for the following items: (1) police information network, (2) law enforcement academy, (3) patrol communication center, (4) SBI equipment and personnel, (5) improving correctional facilities, and for diagnostic, evaluation, testing and research programs in corrections, (6) additional probation officers, and (7) additional personnel to work with juvenile offenders, and (8) capital improvements for correction training schools.

Capital improvements: Recommended total capital improvements of almost \$150 million and general fund capital improvements of \$116 million, largest in State's history.

Personnel: Recommended increase in number of state employees of approximately 1,700, approximately a 1% increase.

Unmet needs: Stated there are many unmet needs not included in budget, some of these needs being increased State assistance to the school lunch program; financial aid to North Carolina students enrolled in Duke and Bowman Gray medical schools; purchase of group hospital, medical, and major medical insurance; State matching of federal funds under the Omnibus Crime Control Act; upgrading of State parks and the acquisition of Smith Island; providing more staff for mental institutions; and the strengthening of educational programs. Recommended providing for these and other unmet needs should additional funds become available.

SENATE AND HOUSE

CALENDAR ACTION

JAN.21,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 5 STATUTORY CONSTRUCTION. H-REC FROM SENATE; H-REF TO COM ON JUDIC 2.
S. 19 (J.RES.) MEMORIALIZING WILLIAMS. H-REC FROM SENATE; H-PASSED 2ND & 3RD READING.
S. 21 (J.RES.) MEMORIALIZING HUMBER. H-PASSED 2ND & 3RD READING.
S. 25 UNMARKED STATE VEHICLES. S-REPTD FAV.
#H. 32 (J.RES.) MEMORIALIZING STANFORD. RATIFIED.
#H. 40 (J.RES.) MEMORIALIZING PHIPPS. RATIFIED.
H. 41 (J.RES.) VIET NAM PRISONERS OF WAR. H-PASSED 2ND & 3RD READING.

The Speaker of the House on January 21 named the following members to the following Committees:

Commissions and Institutions for the Blind & Deaf: Neill L. McFadyen, Chairman; C. E. Leatherman, Vice Chairman; Daniel T. Lilley, Vice Chairman; Beard; Brown, J.; Brown, R.; Chase; Jernigan, G.; Johnson, Joy J.; Mauney; Miller; Mitchell; Smith, A.

Election Laws: J. Worth Gentry, Chairman; Archie Burrus, Vice Chairman; Liston B. Ramsey, Vice Chairman; James B. Vogler, Vice Chairman; Arnold; Beatty; Brown, R.; Harrelson; Hege; Jemison; Marion; McMichael; Smith, M.; Tart.

Employment Security: W. K. Mauney, Jr., Chairman; Ernest L. Hicks, Vice Chairman; Dwight W. Quinn, Vice Chairman; Howard Twiggs, Vice Chairman; Beatty; Bumgardner; Eagles; Farmer, F.; Fulton; Hardison; Kemp; Mayfield; McDaniel; Messer; Royall.

Federal and Interstate Cooperation: T. Clyde Auman, Chairman; Samuel H. Johnson, Vice Chairman; W. Marcus Short, Vice Chairman; Bryan; Bundy; Hightower; McDaniel; Snyder; Taylor; Whichard; Wynne.

Health: Mrs. John B. Chase, Chairman; J. Marvin Johnson, Vice Chairman; J. Ernest Paschall, Vice Chairman; Joe B. Raynor, Jr., Vice Chairman; Barbee; Beam; Bostian; Hege; Hicks; Ingram; Jemison; Mayfield; Nash; Phillips; Royall; Smith, A.; Smith, C.; Warlick, Whichard.

Insurance: C. E. Leatherman, Chairman; P. C. Collins, Jr., Vice Chairman; Neill L. McFadyen, Vice Chairman; Charles H. Taylor, Vice Chairman; Baker; Beam; Brown, R.; Eagles; Farmer, F.; Harris; High; Hunter; Huskins; Ingram; Jernigan, G.; Kincaid; Lawing; Lilley; Mason; Miller; Odom; Quinn; Ramsey, J.; Rhyne; Stevens; Webster.

Roads: David W. Bumgardner, Jr., Chairman; Hugh Beam, Vice Chairman; J. F. Mohn, Vice Chairman; Kenneth C. Royall, Jr., Vice Chairman; Bright; Brown, R.; Bryan; Culpepper; Falls; Farmer, F.; Gentry; Hardison; Hightower; Hunt; James; Jemison; Jernigan, R.; Kemp; McFadyen; Nash; Smith, A.; Snyder; Speed; Taylor; Vogler.

Social Services: Howard Twiggs, Chairman; Hugh Campbell, Jr., Vice Chairman; C. Graham Tart, Vice Chairman; Carl V. Venters, Vice Chairman; Baker; Beard; Bostian; Everett; Fulton; Jemison; Johnson, Joy J.; Mason; McMichael; Messer; Mitchell; Mohn; Odom; Phillips; Rogers; Smith, M.; Speros.

State Government: Allen C. Barbee, Chairman; Ike F. Andrews, Vice Chairman; Roberts H. Jernigan, Jr., Vice Chairman; Carl V. Venters, Vice Chairman; Clark; Foley; Gardner; High; Hightower; Holshouser; Jones; Kincaid; Leatherman; Love; McDaniel; Ramsey, J.; Rountree, G.; Royall; Smith, M.; Soles.

State Personnel: James B. Vogler, Chairman; Allen C. Barbee, Vice Chairman; Neill L. McFadyen, Vice Chairman; C. Graham Tart, Vice Chairman; Arnold; Beatty; Bostian; Bundy; Eagles; Haynes; Hege; Ingram; Mason; McDaniel; Phillips; Raynor; Rogers; Speed.

Wildlife Resources: James C. Green, Chairman; Hugh Beam, Vice Chairman; J. A. Everett, Vice Chairman; Thomas B. Hunter, Vice Chairman; Baker; Barker; Brown, J.; Cobb; Foley; Gardner; Huskins; Kincaid; Lilley; Smith, A.; Speros; Taylor.

Next sessions of Senate and House: 10:00 a.m., Friday, January 22, 1971.

"To make appropriations for current operation of the State departments, institutions, and agencies, and for other purposes."

Appropriates from the General and Highway Funds according to the following schedule:

	<u>1971-72</u>	<u>1972-73</u>
<u>GENERAL FUND</u>		
JUDICIAL		
Judicial Department	\$27,174,465	\$28,066,819
Judicial Council	1,276	1,551
Subtotal-Judicial	<u>\$27,175,741</u>	<u>\$28,068,370</u>
GENERAL GOVERNMENT		
The General Assembly	\$ 1,110,286	\$ 2,900,715
The Governor's Office	537,021	527,665
The Lieutenant Governor	17,286	17,198
Department of Administration	9,102,165	9,490,392
Department of Local Affairs	1,179,486	1,236,535
Department of Personnel	1,015,961	1,047,349
Secretary of State	291,557	270,542
State Auditor	1,312,752	1,420,623
State Treasurer	474,789	503,387
Department of Justice:		
1. Attorney General	1,362,080	1,399,591
2. State Bureau of Investigation	2,269,061	2,320,548
3. Police Information Network	861,718	872,531
4. General Statutes Commission	15,980	15,980
Department of Revenue	10,508,907	10,798,585
Department of Tax Research	169,039	180,020
State Board of Assessment	160,655	162,094
Teachers' and State Employees' Retirement System:		
1. Administration	1,046,657	1,041,901
2. Pension Payments to Retired State Employees	314,500	291,100
Law Enforcement Officers' Benefit and Retirement Fund - Contribution from General Fund	25,000	25,000
North Carolina Firemen's Pension Fund	531,954	532,500
Pensions - Confederate Widows	17,592	15,792
Pensions - Widows of Governors	15,000	15,000
State Board of Elections	64,369	66,067
Legislative Research Commission	16,000	16,000
Interstate Cooperation Commission	5,000	5,000
North Carolina Capital Planning Commission	5,000	5,000
North Carolina Capital Building Authority	1,000	1,000
Governor's Committee on Employment of the Handicapped	28,797	28,828
Subtotal-General Government	<u>\$32,459,612</u>	<u>\$35,206,943</u>

PUBLIC SAFETY AND REGULATION

The Adjutant General:

1. Adjutant General's Office	\$ 782,789	\$ 795,264
2. Armory Commission	41,500	41,500
State Civil Air Patrol	20,272	20,288
State Civil Defense Agency	206,400	209,799
Department of Motor Vehicles - Automobile Drivers' Financial Responsibility Program	798,567	842,269
Utilities Commission	858,329	891,766
Insurance Department:		
1. Insurance Department	1,209,341	1,239,511
Probation Commission	3,763,754	3,688,817
Board of Paroles	1,605,287	1,629,398
Subtotal-Correction	<u>\$39,609,953</u>	<u>\$41,920,846</u>

SOCIAL SERVICES

Department of Social Services:

1. Department of Social Services	\$26,677,002	\$29,150,491
2. Child Welfare and Day Care Services	1,863,985	1,872,689
3. Local Confinement Facilities Improvement Fund	200,000	-
4. Medical Assistance Program	23,867,504	27,859,696
State Commission for the Blind	2,649,829	2,659,826
Department of Veterans Affairs	869,824	883,690
Confederate Women's Home	101,269	103,467
Oxford Orphanage	70,248	70,248
Junior Order Children's Home	63,000	63,000
Central Orphanage of North Carolina	98,500	98,500
Odd Fellows Home	13,500	13,500
Alexander Schools, Inc.	51,000	51,000
Eliada Homes, Inc.	24,000	24,000
Boys Homes of North Carolina, Inc.	10,000	10,000
Sipe's Orchard Home, Inc.	12,593	12,593
Department of Administration - Reserve for Child-Caring Institutions	250,000	-
Subtotal-Social Services	<u>\$56,822,254</u>	<u>\$62,872,700</u>

Department of Public Instruction -

Administration and Supervision	\$ 1,664,191	\$ 1,685,407
1. Nine Months School Fund	488,519,872	508,971,235
2. State Board of Education	1,517,299	1,546,673
3. Occupational Education	24,082,552	25,251,352
4. Purchase of Free Textbooks	7,690,322	8,406,538
5. Vocational Textile School	172,543	179,055
6. Purchase of School Buses	4,767,545	5,122,975
7. Division of School Planning	344,132	344,445
8. Vocational Rehabilitation	1,992,098	2,000,404
9. Instruction and Training for Trainable Mentally Handicapped Children	2,201,762	2,478,909
10. National Defense Education Program	277,148	280,922
11. Program of Education by Television	151,392	153,205
12. Advancement School	799,346	806,980
13. Professional Improvement of Teachers	619,985	620,600
14. Planning, Research and Development	382,284	384,700

15. Financial Assistance to Hospital Programs of Nursing Education	\$ 253,400	\$ 240,800
16. Department of Community Colleges	47,982,397	54,674,013
17. Department of Community Colleges - Equipment	5,498,929	3,698,433
State Board of Higher Education:		
1. State Board of Higher Education	1,775,909	1,792,306
2. State Education Assistance Authority	3,500	3,500
Department of Administration:		
1. Higher Education - Reserve for Special Programs	750,000	450,000
2. Reserve for Educational Benefits - Children of Veterans	1,100,000	1,200,000
University of North Carolina (Consolidated):		
1. General Administration	1,877,887	1,904,406
2. University of North Carolina at Chapel Hill:		
a. University of North Carolina at Chapel Hill	27,809,754	29,463,930
b. Division of Health Affairs	14,110,466	15,566,080
3. North Carolina State University at Raleigh	23,533,793	25,138,181
4. University of North Carolina at Greensboro	9,796,631	10,716,262
5. University of North Carolina at Charlotte	5,587,104	6,430,040
6. University of North Carolina at Asheville	1,636,935	1,756,760
7. University of North Carolina at Wilmington	2,232,898	2,398,900
East Carolina University	11,139,407	11,884,956
North Carolina Agricultural and Technical State University	5,092,341	5,307,605
Western Carolina University	5,892,775	6,391,357
Appalachian State University	7,053,373	7,765,707
Pembroke State University	2,158,712	2,254,576
Winston-Salem State University	2,197,296	2,322,042
Elizabeth City State University	1,821,518	1,965,020
Fayetteville State University	1,842,133	1,948,370
North Carolina Central University	4,633,476	4,926,061
North Carolina School of the Arts	1,416,907	1,466,016
North Carolina Board of Science and Technology	501,690	506,279
North Carolina School for the Deaf	2,507,177	2,653,646
Eastern North Carolina School for the Deaf	1,374,637	1,423,309
The Governor Morehead School	1,997,321	2,043,162
Medical Care Commission-Student Loan Fund-Medical Education	400,000	400,000
State Board of Education-Student Loan Fund-Teacher Education	1,000,000	1,000,000
Department of Archives and History	1,472,620	1,504,886
Tryon Palace-Department of		

Archives and History	\$ 176,776	\$ 181,571
State Library:		
1. Library	594,924	602,464
2. State Aid to Public Libraries	1,881,607	1,884,212
North Carolina Museum of Art	552,229	557,152
North Carolina State Art Society	8,000	8,000
North Carolina Symphony Society, Inc.	212,237	212,237
Old Salem, Inc.	62,500	62,500
Highlands Biological Station, Inc.	31,050	31,050
Moore's Creek Battleground Association	500	500
Vagabond School of the Drama	5,000	5,000
Subtotal-Education	<u>\$735,158,450</u>	<u>\$772,974,694</u>

HEALTH AND HOSPITALS

State Board of Health	\$ 10,683,995	\$ 11,320,337
Medical Care Commission	254,187	258,053
University of North Carolina -		
Memorial Hospital	9,447,087	10,161,739
Department of Mental Health:		
1. General Administration	9,003,248	9,048,747
2. Alcoholic Rehabilitation Center-		
Black Mountain	749,288	763,889
3. Alcoholic Rehabilitation Center -		
Butner	751,207	765,414
4. Walter B. Jones Alcoholic Rehabilitation		
Center-Greenville	744,739	732,101
5. Dorothea Dix Hospital	10,172,807	10,399,469
6. Broughton Hospital	8,147,288	8,431,663
7. Western Carolina Center	5,542,468	5,912,133
8. Cherry Hospital	9,318,036	9,619,686
9. O'Berry Center	5,110,651	5,186,657
10. John Umstead Hospital	7,157,402	7,344,552
11. Murdoch Center	6,977,197	7,107,958
12. Caswell Center	6,654,399	6,808,225
13. Wright School	260,829	269,832
Advisory Council on Mental Retardation	406,034	410,822
North Carolina Orthopedic Hospital	863,588	879,332
North Carolina Cerebral Palsy		
Hospital	420,792	424,841
North Carolina Sanatorium System:		
1. General Administration	97,017	98,154
2. North Carolina Sanatorium	2,052,683	2,108,656
3. Western North Carolina		
Sanatorium	1,891,311	1,919,046
4. Eastern North Carolina		
Sanatorium	2,434,910	2,541,926
5. Gravelly Sanatorium	993,185	1,004,392
North Carolina Cancer Institute, Inc.	26,000	26,000
Asheville Orthopedic Hospital	205,000	205,000
Subtotal-Health and Hospitals	<u>\$100,365,348</u>	<u>\$103,798,624</u>

RESOURCE DEVELOPMENT AND PRESERVATION

Department of Conservation and Development:

1. Department of Conservation and Development	\$ 9,725,923	\$ 9,849,662
2. Kerr Reservoir Development Commission-Nutbush Conservation Area	120,517	113,319
Department of Water and Air Resources	1,785,306	1,837,648
North Carolina National Park, Parkway and Forests Development Commission	12,046	12,064
Industrial Extension Service-North Carolina State University at Raleigh	420,232	437,210
State Ports Authority	751,436	259,136
Rural Electrification Authority	108,480	110,457
Confederate Museum-Richmond, Virginia	200	200
Confederate Cemetery-Raleigh, North Carolina	350	350
Garden Clubs of North Carolina, Inc.-The Elizabethan Garden	13,000	13,000
Brevard Music Center	32,500	32,500
Subtotal-Resource Development and Preservation	<u>\$ 12,969,990</u>	<u>\$ 12,665,546</u>

AGRICULTURE

Department of Agriculture	\$ 6,001,358	6,241,624
Agricultural Experiment Station-North Carolina State University at Raleigh	7,261,064	7,557,464
Cooperative Agricultural Extension Service-North Carolina State University at Raleigh	6,096,531	6,385,579
State Soil and Water Conservation Committee	300,702	302,291
Subtotal-Agriculture	<u>\$ 19,669,655</u>	<u>\$ 20,486,958</u>

DEBT SERVICE

Interest on Bonds	\$ 6,266,260	\$ 6,846,030
Redemption of Bonds	12,365,000	13,870,000
Subtotal-Debt Service	<u>\$ 18,631,260</u>	<u>\$ 20,716,030</u>

RESERVES

Contingency and Emergency:	\$ 2,000,000	2,000,000
Salary Increases of State Employees Subject to the Personnel Act	14,522,460	25,872,980
Salary Adjustments of State Employees	4,546,954	5,352,323

Department of Administration -
 Reserve for Unemployment
 Compensation
 Subtotal-Reserves

\$ 500,000
 \$ 21,569,414

-
 \$ 33,225,303

TOTAL GENERAL FUND

\$1,071,739,281

\$1,139,561,309

HIGHWAY FUND

PUBLIC SAFETY AND REGULATION

Department of Motor Vehicles
 Transportation Inspection
 (Utilities Commission)

\$ 26,719,998
 255,918

\$ 28,628,488
 259,063

Gasoline and Oil Inspection Service
 (Department of Agriculture)

497,846

490,655

Governor's Highway Safety Program

2,122,732

2,128,546

Subtotal-Public Safety and Regulation

\$ 29,596,494

\$ 31,506,752

EDUCATION

Driver Training and Safety Education

\$ 2,800,216

\$ 2,727,765

HIGHWAYS

State Highway Commission:

1. Merit Salary Increments
2. Reserve for Contingencies
3. General Administration
4. Engineering Administration and Supervision
5. State Maintenance and Construction:
 - a. Primary System
 - b. Secondary System
 - c. Urban System
 - d. Public Service Roads

\$ 4,022,575
 500,000
 3,956,472
 8,671,630
 82,800,000
 62,500,000
 21,000,000
 1,500,000

\$ 6,610,663
 500,000
 3,967,031
 8,596,776
 85,600,000
 64,500,000
 21,500,000
 1,500,000

6. State Funds to Match Federal Aid Highway Planning Survey and Highway Planning Research

800,000

800,000

7. State Funds to Match Federal Aid Construction

47,974,000

47,974,000

8. State Aid to Municipalities

26,062,500

27,250,000

9. Employer's Contribution-Retirement

6,585,196

6,780,046

10. Employer's Contribution-Social Security

4,083,648

4,386,685

Subtotal-Highways

\$ 270,456,021

\$ 279,965,201

DEBT SERVICE

Bond Fund Act of 1965 Interest and Redemption

\$ 17,147,000

\$ 11,769,000

Highway Bond Anticipation Notes-Interest and Redemption

10,400,000

10,100,000

Subtotal-Debt Service

\$ 27,547,000

\$ 21,869,000

RESERVES

Salary Adjustments of Highway Fund Employees

\$ 1,907,632

\$ 2,607,632

Salary Increases of Highway Fund

Employees Subject to the Personnel

Act

Subtotal-Reserves

TOTAL HIGHWAY FUND

\$ 7,784,579	\$ 13,638,915
\$ 9,692,211	\$ 16,246,547
<u>\$ 340,091,942</u>	<u>\$ 352,315,265</u>

Special provisions with respect to Highway Fund: authorizes transfers and changes from merit salary increments, salary increases, and salary adjustments, to other appropriations in the Highway Fund with approval of Director of Budget; authorizes transfers and changes from reserve for contingencies to other operating appropriations with approval of Governor and Council of State; authorizes transfers and changes to and/or from Highways Title (as set out above). Items 3, 4, 5(a), (b), (c), (d), 6 and 7 with approval of Director except that items 5(a), (b), (c), (d), shall not be reduced by more than 30% of the appropriations for State Maintenance and Construction systems, and items 6 and 7 shall not be reduced by more than 10% of the stated appropriations. In case revenues accruing to fund (exclusive of one cent gasoline tax for debt-service) exceed the estimated revenues for each year of biennium (\$307,585,000 for 1971-72 and \$320,995,000 for 1972-73) the excesses may be allocated in next succeeding year by Director to increase the appropriations under Public Safety Title (Items 3, 4, 5(a), (b), (c), (d), 6 and 7); increase in fund surplus from sources other than revenues may be allocated in next succeeding year by Director to increase the appropriations under said Titles and Items.

Appropriates from funds available in the various special funds sufficient amounts to carry on required activities, subject to provisions of the Executive Budget Act.

General Provisions: Provides that all insurance and all fidelity and surety bonds authorized for State departments, institutions and agencies be placed by Insurance Dep't, costs to be paid by respective departments.

Special Provisions: Authorizes Director to transfer appropriations made to schools for deaf and training schools among the schools. Provides for disbursing of medical care and treatment appropriations on rates approved by Advisory Budget Commission. Provides for Medicaid expenditures to be in accordance with the approved state plan for medical assistance in effect July 1, 1971, or the same as amended by recommendation of the State Board of Social Services and approved by the Governor and the Advisory Budget Commission. Expresses intent that new Community Colleges units (beyond those herein authorized) not be recommended without clear and urgent need in a particular area of the State, and construction contracts therefor not be let without available funds for related equipment. Funds appropriated to Community Colleges Department to purchase equipment for colleges are permanent appropriations and shall not revert to General Fund if unexpended. Director of Budget to require that Highway Fund and others designated budget as a line item sufficient funds to pay employer portion of retirement system contributions. No part of General Fund appropriation made as contribution to State retirement fund to be used as retirement or Social Security contributions for any State employee (1) who is paid from receipts of any State institution or agency (other than gifts or grants) deposited in any institutional funds for specific purpose of paying such employees; or (2) who performs duties for self-supporting operation or activity (as determined by Director of Budget); or (3) who performs duties for operation or activity not directly supported by General Fund appropriations. If salary is paid in part from General Fund, appropriations

from General Fund to be used to pay employer's contribution to State retirement fund and Social Security in proportion to part of salary paid from General Fund. Intent of provision is to require employer's contributions to State retirement fund and Social Security for employees of institutions etc., described above to be paid from salary source. Authorizes departments, institutions and agencies to expend from appropriations made in Act funds to pay moving expenses of employees whose transfer is directed by employing agency, subject to regulations of Department of Administration, approved by Director of Budget. Authorizes allotment for each year of coming biennium of not to exceed \$150,000, subject to recommendation of Advisory Budget Comm'n for witchweed control program and for hog cholera indemnity.

Salaries and Wages: Authorizes Director of Budget to transfer to departments, agencies and institutions from appropriations for salary increases for State employees subject to Personnel Act sums needed to increase salaries in effect June 30, 1971 under established salary schedule, by 5% to each permanent full-time employee, commencing July 1, 1971 and an additional 5% commencing July 1, 1972. Increases to apply to salaries paid from special funds and non-tax sources, and budget allocations may be made out of special funds, if funds are made available by sponsoring agents. General Fund appropriation to pay its proportionate share of increases for positions supported partially by General Fund. Increases for employees paid from self-supporting activities to be contingent on availability of funds out of their receipts, as determined by Director of Budget. Increases not to effect automatic and/or merit increments, and not to apply to persons separated from State service whose last working day is prior to July 1, 1971. Maximum salary ranges of employees under Personnel Act to be increased by an amount equal to legislative salary increase.

Authorizes Budget Director to make transfers from General and Highway Fund Salary Adjustment appropriations for salary adjustments required by changes in the labor market that cause recruiting problems. Prohibits additional salary adjustments from lapsed salaries or excess salary increment funds. Authorizes discretionary increases permitted by Personnel Dep't as a result of range revisions to maximum of two-thirds (or all eligible, if agency has less than 25 appropriations-paid positions).

Re-enacts and incorporates by reference Executive Budget Act (GS Ch. 143, Art. 2). Effective July 1, 1971.

Capital appropriation

APPROPRIATION

Sent to APPROPRN

"To make appropriations to provide capital improvements for State institutions, departments, and agencies."

Appropriates funds for construction or renovation of buildings and utilities, site acquisition, and equipment acquisition and installation at State institutions, departments and agencies, subject to detail in Vol. III of 1971-73 Budget, as follows (all details are included in the following digest other than breakdowns of "buildings and equipment", "roads, walks and parking", and similar details):

GENERAL FUND

GENERAL GOVERNMENT

Department of Administration		\$18,788,000
1. New State Office Building	\$6,960,000	
2. Air Condition and Renovate Old Revenue Building	1,650,000	
3. Air Condition and Renovate Old Laboratory of Hygiene Building	500,000	
4. Convert Elevators to Automatic in Education Building and Revenue Building Annex	100,000	
5. Water Line and Sewage Station, Blue Ridge Road	188,000	
6. General Renovation and Repairs to State Buildings, Including Heliport	600,000	
7. Purchase of Land, Capitol Area and Institutional	5,115,000	
8. Capitol Restoration	525,000	
9. Museum of Art Supplement	3,000,000	
10. Law Enforcement Training Academy (Renovation of Camp Polk)	<u>150,000</u>	

PUBLIC SAFETY AND REGULATIONS

North Carolina Armory Commission		528,063
1. Armory, Beulaville	222,000	
Less Federal and Local Funds	<u>194,250</u>	27,750
2. Armory, Butner	297,000	
Less Federal Funds	<u>222,750</u>	74,250
3. Armory, Youngsville	224,501	
Less Federal and Local Funds	<u>196,438</u>	28,063
4. Armory, Mocksville	222,000	
Less Local Funds	<u>27,750</u>	194,250
5. Armory, Boone	222,000	
Less Local Funds	<u>27,750</u>	194,250
6. Addition to Organizational Maintenance Shop, Kinston	<u>9,500</u>	

CORRECTION

Stonewall Jackson School		585,000
1. Cottage for 50 students	472,500	
2. Renovate Basement in 12 Cottages	70,000	
3. New Flooring for Cafeteria	24,000	
4. Convert Deep Freeze Room	8,500	
5. Extension of the Electrical Distribution and Street Lights	<u>10,000</u>	
Samarcand Manor		499,000
1. Addition to Administration Building	104,000	
2. Completion of Unfinished Cottage	225,000	
3. Renovate Water Treatment Plant	50,000	
4. Extension of Electrical Distribution System and Street Lights	<u>120,000</u>	
Cameron Morrison School		597,000
1. Cafeteria	498,000	
2. Milk Building	85,000	
3. Building for Processing and Storing Meats	<u>14,000</u>	
Richard T. Fountain School		108,000
1. Convert Boilers from Coal To Oil in 4 Buildings	20,000	
2. Renovate Toilets Shower and Dressing Rooms	13,500	
3. Annex to Milk Plant for Pasteurizing	34,000	
4. Repair Slate Roofs, New Gutters and Downspouts	18,500	
5. Extension of Electrical Distribution System and Street Lights	<u>22,000</u>	
State Training School for Girls		161,000
1. Addition to Cafeteria	129,000	
2. Addition to Cold Storage Room	18,000	
3. Storage House for Cured Meats	<u>14,000</u>	
Samuel Leonard School		182,000
1. Renovate Present Classrooms to Dormitory Space	45,000	
2. Staff Residence for Director	29,000	
3. Renovate South and Center Wings, Main Building	<u>110,000</u>	
Juvenile Evaluation Center		1,415,000
1. Three Student Cottages to House 48 Students Each	1,220,000	
2. Convert from Central Heating Plant to Individual Heating in Certain Buildings	145,000	
3. Renovate 9 Staff Houses	14,000	
4. Rewire 9 Staff Houses	<u>36,000</u>	

Department of Correction		691,000
1. Multi-Purpose Facility, Western Correctional Center	191,000	
2. Unallotted Reserve for Capital Improvements	<u>500,000</u>	

SOCIAL SERVICES

State Commission for the Blind		48,230
1. Industrial Arts Building, Rehabilitation Center		
Subtotal	107,000	
Less Federal Funds	<u>65,270</u>	41,730
2. Enlarge Kitchen Area		
Subtotal	23,000	
Less Federal Funds	<u>18,400</u>	4,600
3. Deep Freeze Unit	9,500	
Less Federal Funds	<u>7,600</u>	<u>1,900</u>

EDUCATION

UNC at Chapel Hill-Health Affairs		3,917,500
1. Utilities and Site Improvements	2,162,500	
2. Renovate Rosenau Hall	85,000	
3. Renovate Ground, 1st and 2nd Floors, Memorial Hospital	1,235,000	
4. Renovate 1st Floor Clinic Building, Memorial Hospital	260,000	
5. Renovate Ground Floor Infirmary Building, Memorial Hospital	<u>175,000</u>	

UNC at Chapel Hill-Academic Affairs		1,622,000
1. Utilities, Site Improvements, and General Building Repairs	972,000	
2. Air Pollution Control- University Power Plant	650,000	
3. Student Health Services Building		
Subtotal	2,430,000	
Less Self-Liquidating	<u>2,430,000</u>	-0-
4. Renovate 11 Dormitories	400,000	
Less Self-Liquidating	<u>400,000</u>	-0-

North Carolina State University		1,978,600
1. Building Repairs, Utilities and Improvements	1,978,600	
2. Parking Structure	1,840,000	
Less Self-Liquidating	<u>1,840,000</u>	-0-
3. Print Shop	545,000	
Less Self-Liquidating	<u>545,000</u>	-0-
4. Residence Hall	3,520,000	
Less Self-Liquidating	<u>3,520,000</u>	-0-

5.	Renovate Erdahl-Cloyd Union	165,000		
	Less Self-Liquidating	<u>165,000</u>	-0-	
6.	Syme Hall Snack Bar Extension	52,000		
	Less Self-Liquidating	<u>52,000</u>	-0-	
7.	Fraternity/Sorority Houses	765,000		
	Less Self-Liquidating	<u>765,000</u>	-0-	
UNC at Greensboro				590,000
1.	Renovate Existing Library			
	Building	70,000		
	Fixed Equipment	25,000		
	Movable Equipment	<u>90,000</u>	185,000	
2.	Tennis Resurfacing and Lighting		90,000	
3.	Utilities and Heating Plant			
	Renovations		75,000	
4.	Air Condition Two Lower			
	Floors, McIver Building		70,000	
5.	Renovate and Air Condition			
	Music Building	160,000		
	Fixed Equipment	<u>10,000</u>	170,000	
6.	Replace Floors in 9			
	Dormitories	200,000		
	Less Self-Liquidating	<u>200,000</u>	-0-	
7.	Replace Electrical Wiring			
	in 9 Dormitories	350,000		
	Less Self-Liquidating	<u>350,000</u>	-0-	
8.	Parking for 300 Cars	50,000		
	Less Self-Liquidating	<u>50,000</u>	-0-	
UNC at Charlotte				100,000
1.	Landscaping		100,000	
2.	Parking for 450 Cars	120,000		
	Less Self-Liquidating	<u>120,000</u>	-0-	
UNC at Asheville (roads, walks, etc.)				42,000
UNC at Wilmington				133,500
1.	Expansion of Utilities		75,000	
2.	Outdoor Lights and Walks		58,500	
3.	Student Parking Lot	46,000		
	Less Self-Liquidating	<u>46,000</u>	-0-	
East Carolina University				1,468,000
1.	Renovation of Wahl-Coates School		1,310,000	
2.	Extend Heating Line to			
	Men's Gymnasium		70,000	
3.	Science Equipment for			
	Flanagan Building		88,000	
4.	Air Condition 3 Dormitories	1,145,000		
	Less Self-Liquidating	<u>1,145,000</u>	-0-	

N. C. Agricultural and Technical State University		1,515,000
1. Receiving and Storage	345,000	
2. Heating Plant Improvements	300,000	
3. Renovate Noble Hall	50,000	
4. Alteration and Expansion of Primary Electrical Distribution System	500,000	
5. Campus Improvements	200,000	
6. Air Condition Frazier Hall	60,000	
7. Air Condition Sebastian Infirmary	<u>60,000</u>	

Western Carolina University		1,437,000
1. Addition to Water Purification Plant	300,000	
2. New Boiler and Steam Line Repairs	200,000	
3. Underground Electrical Distribution System	250,000	
4. Maintenance Shop Building	168,000	
5. Replace Boardwalk, Hunter and Stillwell Buildings	24,000	
6. Completion of Business Building Basement	50,000	
7. Walks, Drives and Landscaping	60,000	
8. Air Condition Killian Building	85,000	
9. Air Condition Business Building	115,000	
10. Renovate Camp Laboratory School	25,000	
11. Renovate Hunter Library	160,000	
12. Stadium, Phase I	1,665,000	
Less Gifts and Grants	800,000	
Less Self-Liquidating	<u>865,000</u>	-0-
13. Faculty and Married Students Housing	1,895,000	
Less Self-Liquidating	<u>1,895,000</u>	-0-
14. Parking Building	480,000	
Less Self-Liquidating	<u>480,000</u>	-0-

Appalachian State University		932,500
1. Firefighting Equipment	17,500	
2. Campus Utilities	350,000	
3. Centrex Telephone Facilities and Underground Electrical Distribution Service	225,000	
4. Campus Lighting	75,000	
5. Conversion of Existing Coal Fired Boilers to Oil	265,000	
6. Married Students Housing Facility	1,722,000	
Less Self-Liquidating	<u>1,722,000</u>	-0-

Pembroke State University		532,000
1. Electrical Distribution System Improvements	250,000	
2. Athletic Field Relocation and Improvements	35,000	
3. Addition to Sampson Hall	50,000	

4.	Addition to Central Warehouse	50,000		
	Fixed Equipment	<u>2,000</u>	52,000	
5.	Additions and Alterations to President's Home		45,000	
6.	Roads and Parking		100,000	
7.	Student Union	1,340,000		
	Less Self-Liquidating	<u>1,340,000</u>	-0-	
8.	Dormitory for 500 Men	2,200,000		
	Less Self-Liquidating	<u>2,200,000</u>	-0-	
9.	Dormitory for 400 Women	1,760,000		
	Less Self-Liquidating	<u>1,760,000</u>	-0-	
Winston-Salem State University			665,000	
1.	Improve Boiler System		275,000	
2.	Extension of Roads		65,000	
3.	Underground Utility System		325,000	
4.	Student Union Supplement	180,000		
	Less Self-Liquidating	<u>180,000</u>	-0-	
Elizabeth City State University			1,271,000	
1.	Renovate Butler Hall Dormitory		295,000	
2.	Renovate Moore Hall, Phase 2		80,000	
3.	Renovate Administration Building, Phase 2		80,000	
4.	Renovate Lester Hall		235,000	
5.	Renovate Bias Hall		233,000	
6.	Renovate Infirmary		108,000	
7.	Renovate Lane Hall, Phase 2		110,000	
8.	Water Treatment System		20,000	
9.	Landscaping		35,000	
10.	Campus Lighting and Wiring		75,000	
11.	Dormitories for 200 Students	880,000		
	Less Self-Liquidating	<u>880,000</u>	-0-	
Fayetteville State University			539,000	
1.	Communications Center		205,000	
2.	Renovate Mitchell Building into Laboratory School		100,000	
3.	Landscaping		40,000	
4.	Roads, Walks, Parking Area and Street Lights		80,000	
5.	Major Repairs to Buildings		65,000	
6.	Extension of Drainage System		15,000	
7.	Library Checkpoint Security System		34,000	
8.	Dormitory for 450 Students	1,980,000		
	Less Self-Liquidating	<u>1,980,000</u>	-0-	
North Carolina Central University			2,502,000	
1.	Communications Building	2,220,000		
	Less 1969 Appropriation	<u>200,000</u>	2,020,000	
2.	Entrance Gate and Parking Area		32,000	
3.	Underground Utilities		<u>450,000</u>	
North Carolina School of the Arts			180,900	
1.	Fire Hydrant and Water Line		4,500	
2.	Smoke Detection System, Lower Division Housing		30,000	

3. Rewire Main Building	36,400	
4. Campus Entrance, Parking and Landscaping	<u>110,000</u>	
Governor Morehead School		1,447,000
1. Convert Coal Fired Boiler to Natural Gas-Ashe Avenue Campus	90,000	
2. New Road System and Parking Ashe Avenue Campus	262,000	
3. Vocational and Maintenance Building Ashe Avenue Campus	795,000	
4. New Campus Lighting System- Ashe Avenue Campus	70,000	
5. Renovate Lineberry Hall Auditorium Wing-Ashe Avenue Campus	180,000	
6. Renovate Heating Plant-Garner Road	<u>50,000</u>	
North Carolina School for the Deaf		1,036,000
1. Renovate Goodwin Hall	150,000	
2. Renovate Electrical Distribu- tion System	155,000	
3. Vocational Building	485,000	
4. Renovate Main Building and Hoffmeyer Hall Food Service Area	24,000	
5. Repairs for Underhill Gymnasium, Service Building and Joiner Hall	25,000	
6. Clean and Repair Mountain Water System	25,000	
7. Playground	42,000	
8. Resurfacing and Paving Roads	70,000	
9. Parking Area	20,000	
10. Air Condition Existing Vocational School	<u>40,000</u>	
Department of Archives and History		230,000
1. Visitor Center at Historic Halifax, Halifax County	230,000	
HEALTH AND HOSPITALS		
Alcoholic Rehabilitation Center- Black Mountain		32,000
1. Storage Addition	23,000	
2. Expand Dietary Storage Area	<u>9,000</u>	
Dorothea Dix Hospital		4,192,000
1. Laundry Building and Equipment	1,285,000	
2. Renovate Power Plant	150,000	
3. Renovate Edgerton Building	475,000	
4. Food Distribution System	177,000	
5. Air Conditioning Improvement of Spruill Building	95,000	
6. Demolition of Erwin Building	10,000	
7. Central Neuro Medical Surgical Facility	<u>2,000,000</u>	

Broughton Hospital		1,110,000
1. Improvements to Underground Electrical Wiring System	250,000	
2. Air Condition Harper and Scroggs Building	300,000	
3. Laundry Equipment	70,000	
4. Renovate Auditorium RT-OT Building	30,000	
5. Finish Ground Floor and Air Condition Chapel	130,000	
6. Renovate Ward 202, Jones Building	100,000	
7. X-Ray Equipment	140,000	
8. Physical Therapy and Rehabilitation Building	<u>90,000</u>	
Western Carolina Center		497,000
1. Diagnostic Clinic Addition	135,000	
2. Renovate One "H" Building	97,000	
3. Road Repairs	165,000	
4. Air Condition Gymnasium	<u>100,000</u>	
Cherry Hospital		1,253,000
1. Convert Boilers from Coal to Gas and Oil	250,000	
2. Renovate Richardson Building	923,000	
3. Tuck-point Six Buildings	<u>80,000</u>	
O'Berry Center		749,000
1. Additional Office Space for Administration Building	264,000	
2. Safety Fence and Entrance	22,000	
3. Renovate Dormitories B-1 and B-4	328,000	
4. Air Condition Two "A" Type Dormitories	100,000	
5. Emergency Generator Equipment	<u>35,000</u>	
John Umstead Hospital		425,000
1. X-Ray Equipment	40,000	
2. Replace Boilers-Umstead Youth Center	50,000	
3. Renovate Two Warehouses	110,000	
4. Toilet Partitioning-Ward Areas	25,000	
5. Purchase of Power Line Truck	25,000	
6. Emergency Lighting	75,000	
7. Alterations to Wards for Children's Psychiatric Institute	<u>100,000</u>	
Murdoch Center		1,728,500
1. Renovate High Temperature Hot Water Distribution System-Phase 2	375,000	
2. Air Condition Cottages	985,000	
3. Resurfacing, Curbs and Gutters for Campus Drives	85,000	
4. Renovate Right Wing, Cottage G-1	183,500	
5. Convert Boilers from Coal to Natural Gas and Oil	<u>100,000</u>	

Caswell Center		1,719,000
1. Renovate Cold Storage Area in Central Warehouse Building	40,000	
2. Renovate Colony Buildings	190,000	
3. Increase Boiler Capacity	650,000	
4. Raze Eight Old Frame Buildings	4,000	
5. Water System Improvement	10,000	
6. Dormitory for Non-Ambulatory Patients	<u>825,000</u>	
North Carolina Orthopedic Hospital		168,100
1. Additions and Alterations	<u>168,100</u>	
Western North Carolina Sanatorium		100,000
1. Renovation and Equipment for X-Ray Department	<u>100,000</u>	
RESOURCE DEVELOPMENT AND PRESERVATION		
Department of Conservation and Development		1,564,000
1. Division of Travel Information and Promotion-Welcome Center	139,000	
2. Division of Forestry-Reserve for Capital Improvement Projects	425,000	
3. Division of State Parks-Reserve for Capital Improvement Projects	<u>1,000,000</u>	
Kerr Reservoir Development Commission		238,500
1. Repairs to Campsites, Picnic Tables and Fireplaces	10,000	
2. Gravel Surfacing for Existing Roads	210,000	
3. Information Booth and Parking Area-Satterwhite Point	7,500	
4. Car Lift and Grease Rack- Satterwhite Point	<u>11,000</u>	
Department of Water and Air Resources		5,000,000
1. Construction Grants for Aid to Municipal Waste Treatment Plants	4,500,000	
2. Civil Works Projects, Aid to communities	<u>500,000</u>	
State Ports Authority		1,690,000
1. Fill and Hardstand Area Wilmington Port	670,000	
2. Sewage Collection System Wilmington Port	200,000	
3. Transit Shed on South Dock Extension, Wilmington Port	<u>820,000</u>	
AGRICULTURE		
Department of Agriculture		1,760,000
1. Parking Improvements-State Fair	60,000	
2. Events and Exhibit Building- State Fair	930,000	
3. Agronomic Services Laboratory, Raleigh	<u>770,000</u>	

N. C. State University-Agricultural
Experiment Station

1,732,000

1. Ricks Hall Addition	360,000
2. Greenhouse-Headhouse Complex	832,000
3. Renovate Kilgore Hall	<u>540,000</u>

HIGHWAY FUND

PUBLIC SAFETY AND REGULATIONS

Department of Motor Vehicles

1,336,000

1. Communications Center, Raleigh	263,000
2. Troop Headquarters Building, Hickory	600,000
3. Garage for Troop Headquarters, Hickory	123,000
4. Law Enforcement Training Academy (Renovate Camp Polk)	<u>350,000</u>

HIGHWAYS

State Highway Commission

2,830,293

1. Reserve for Capital Improvement Projects	<u>2,830,293</u>
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WILDLIFE RESOURCES FUND

RESOURCE DEVELOPMENT AND PRESERVATION

Wildlife Resources Commission

805,986

1. Basin Creek Fish Hatchery- Wilkes County	213,486
2. Statewide Boat Access Development	70,000
3. Acquisition of Land for Boating and Fishing Access to Public Waters	10,000
4. Acquisition of Land for Wildlife Management Areas-Statewide	<u>512,500</u>

General Provisions: Funds to be disbursed on warrants drawn by State Disbursing Officer, on requisition approved by Director of Budget. Official who votes for or aids in spending more money for improvements than is appropriated may be removed from office by Governor. Additional moneys received from federal grant or other source to aid in financing the cost of any of the capital improvements may be placed by State Treasurer in same or separate fund, and to extent permitted by terms of grant, shall be disbursed in same manner and for same purposes mentioned in act, as detailed in Volume III of 1971-73 Budget. Appropriations for purchase of land in Section 4 of act consolidated into one appropriation to Department of Administration. Appropriations for student housing not to exceed \$4,400 per student to be housed. Prior to execution of design or construction contracts as to projects to be financed in whole or in part with self-liquidating appropriations Advisory Budget Commission shall approve method of financing such project. Intent of act that projects listed shall be completed, including fixed and movable equipment and furnishings, within limits of amounts of direct or self-liquidating appropriations provided herein, except as otherwise provided. When each project appropriated for in Section 4 of act is placed under construction contract, direct appropriations therefor shall be encumbered to include all costs and a reasonable contingency. Surplus to be placed in Project Reserve Fund at the discretion of Advisory Budget Commission, and solely to allow for award of contracts where prescribed procedures have been followed but bids have exceeded appropriated funds. At discretion of Advisory Budget Commission, any balances in Project

Reserve Fund revert to original source. Governor and Advisory Budget Comm'n may, on request of agency or institution, delete any project in act and substitute another therefor. Advisory Budget Comm'n may, on request of agency or institution, authorize increase or decrease in size or scope of any project authorized in act, within available funds.

Provides \$865,000 on self-liquidating basis for construction of stadium at Western Carolina University provided (1) the University first receives pledges of gifts for this purpose of not less than \$800,000 and (2) self-liquidating funds provided pursuant to financing program in conformity with General Statutes of North Carolina. States intent that \$3 mil. appropriation to State Art Museum be used together with previous appropriation and non-State funds for new State Art Building; use of said \$3 mil. to be as requested by State Art Museum Building Comm'n subject to approval of Governor and Advisory Budget Comm'n; provisions of this act concerning reversions not to apply to this appropriation. Director of Budget authorized to transfer between the three institutions the appropriations made in act for the North Carolina School for the Deaf, the Eastern North Carolina School for the Deaf, and the Governor Morehead School, and as between the eight training schools under the jurisdiction of the Board of Juvenile Correction, the appropriations made to any of them. Director of Budget authorized to advance from land-purchase appropriations funds for purchase of recreational land when reimbursement will be effected by federal Bureau of Outdoor Recreation. Provides lump sum appropriations to the Department of Correction; the Department of Conservation and Development, Division of Forestry and State Parks; and the Department of Water and Air Resources from the General Fund; and to the State Highway Comm'n from the Highway Fund to be used for capital improvements in accordance with the priority needs of the agencies as approved by Advisory Budget Comm'n. Funds for Department of Water and Air Resources intended primarily to supplement funds from federal and/or local sources as approved by the Advisory Budget Comm'n.

Construction shall begin on capital improvement projects by Dec. 31, 1972, or appropriation for same shall revert to original source except may be placed in Project Reserve Fund. Self-liquidating indebtedness shall be incurred by Dec. 31, 1972, or authorization for same shall lapse. Dec. 31, 1972, deadline for both direct appropriations and self-liquidating appropriations may be extended in the discretion of the Governor and the Advisory Budget Comm'n. Unencumbered balances in Capital Improvement funds of 1969 to revert to General Fund on Dec. 31, 1971, but deadline may be extended when in the opinion of the Governor and Advisory Budget Comm'n justified. Institutions and agencies may apply to any federal agency for grants-in-aid for construction of projects mentioned in act, and receive and expend grants in accordance with terms of grant and State law; Advisory Budget Comm'n and Dep't of Administration to be furnished advance copies of all requests for federal funds, to be kept current. Effective July 1, 1971.

"To authorize the issuance of bonds of the State to provide for capital improvements for State institutions and agencies, such bonds to be issued without an election during the 1971-73 biennium in an amount not in excess of two-thirds of the amount by which the State's outstanding indebtedness shall have been reduced during the 1969-71 biennium." Authorizes State Treasurer, with consent of Governor and Council of State, to issue and sell at one time or from time to time in the biennium beginning July 1, 1971, bonds as designated below, not exceeding aggregate principal amount of \$45,998,000 for construction and renovation of buildings and utilities, and acquiring sites or equipment therefor (all details, included in digest other than breakdowns such as "buildings and equipment").

GENERAL GOVERNMENT

Department of Administration		\$ 3,455,000
1. State Archives Annex	\$ 1,635,000	
2. Textbook, General Warehouse, and Motor Pool Facility	<u>1,820,000</u>	

CORRECTION

Department of Correction		2,875,000
1. 72-Bed Special Treatment Facility, Central Prison	1,495,000	
2. 96-Man Close Custody Facility, Caledonia Prison	<u>1,380,000</u>	

EDUCATION

UNC at Chapel Hill - Academic Affairs		2,490,000
1. Dramatic Arts Building, Part 1	<u>2,490,000</u>	
N. C. State University		9,510,000
1. Extension Education Center	\$ 6,870,000	
Less Self-Liquidating	<u>2,615,000</u>	4,255,000
2. General Academic Building		<u>5,255,000</u>
UNC at Greensboro		6,040,000
1. Addition to Library	4,240,000	
2. Administration Building	<u>1,800,000</u>	
UNC at Asheville		35,000
1. Air Condition Student Center Auditorium	<u>35,000</u>	
East Carolina University		3,200,000
1. Addition to Library	<u>3,200,000</u>	
North Carolina Agricultural and Technical State University		3,500,000
1. Physical and Health Education Building	3,500,000	
Western Carolina University		4,050,000
1. Natural Science Laboratory Building	3,525,000	
2. Air Condition Hunter Library	<u>525,000</u>	

Pembroke State University		\$ 1,595,000
1. Auditorium	\$ 1,595,000	
Winston-Salem State University		1,600,000
1. Auditorium	1,600,000	
Fayetteville State University		2,405,000
1. Academic Building	2,405,000	
North Carolina Central University		2,625,000
1. Renovations and Addition to Library	2,625,000	

HEALTH AND HOSPITALS

Cherry Hospital		1,548,000
1. Renovate one U-Shaped Dormitory	1,548,000	
John Umstead Hospital		1,070,000
1. Administration Building	1,070,000	
TOTAL		<u><u>\$45,998,000</u></u>

General Provisions: If the maximum principal amount of bonds authorized shall be in excess of $\frac{2}{3}$ of amount by which State's outstanding indebtedness shall have been reduced during biennium beginning July 1, 1969, and for that reason amount of bonds issued is less than \$45,998,000, the difference between that sum and the amount of bonds actually issued shall be made up from Contingency and Emergency Fund. Each project must be so planned that when completed it can be utilized without requiring additional State funds. Proceeds of bonds shall be in addition to all other appropriations, and shall be expended under direction of Director of Budget. Each project must be planned so that each complete facility may be fully utilized without requiring additional State funds. Disbursements are to be made upon warrants drawn by State Disbursing Officer after requisition therefor complying with Executive Budget Act has been approved by Director of Budget. Governor may remove from office any official voting for or aiding in spending more money for any improvement in his institution, etc., than is appropriated. Any grant made by U.S. Government or other source to aid in financing improvements authorized may be placed by State Treasurer in same or separate fund and shall be disbursed in manner provided to extent permitted by terms of such grant. Subject to any transfers and changes, appropriations shall be expended only for specific projects set out in act. Unexpended balances revert to General Fund on June 30, 1975, or such later date determined by Advisory Budget Commission, or upon completion of projects. When projects appropriated for are placed under contract, funds appropriated shall be encumbered to include all costs of construction, etc., and reasonable contingency. Surplus funds to be transferred to Legislative Bond Project Reserve Fund and credited to Dep't of Adminsitration, use of Fund to be at discretion of Advisory Budget Comm'n within certain restrictions.

Bond Provisions: Bonds shall be serial bonds, maximum maturity 20 years, interest payable semi-annually, as fixed by Treasurer with approval of Governor and Council of State. Sets out detailed provisions governing signatures, form and denomination, re-conversion, manner of sale, payment of expenses of bond sales, issuance and payment of bond anticipation notes, and payment of interest and principal of bonds. Pledges State's faith, credit and taxing power. Bond coupons receivable to pay taxes, debts, dues, licenses, fines, and demands due the State. Bonds, notes and coupons exempt from State, county and municipal taxation, and interest not taxable as income. Bonds, notes, coupons not subject to taxation when part of surplus of any bank, trust company or corporation, and are lawful investment for executors, administrators, guardians and fiduciaries and sinking fund commissions. Effective July 1, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
P. O. BOX 7294, RALEIGH, N. C.
27611 TEL. 755-3355
829-7677

BULLETIN NO. 8

-47-

FRIDAY, JANUARY 22, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 39 Presidential primary election (Iden. H 65)
Introducers: Strickland and others

GS 163
Sent to POLICIES

"To provide for a Presidential preference primary election: prescribing nomination and balloting: specifying selection and obligations of delegates: and providing a penalty." Identical with H 65 digested in the House section of today's Bulletin.

S 41 Sales and use surtax act (Iden. H 63)
Introducer: Crawford and Gudger

GS 105
Sent to FINANCE

"Imposing an additional sales and use tax of one per cent (1%) upon certain taxable transactions." Identical with H 63 digested in Bulletin No. 7, p. 43.

S 42 Congressional districts
Introducer: Wood

GS 163
Sent to CONGRESS

"To divide North Carolina into eleven Congressional districts." Copies present GS 163-201 (establishing US Congressional districts) districting for purpose of electing NC Representatives to US Congress in 1972 and every two years thereafter. Provides for one Representative from each of 11 districts, as follows:

- District 1: Beaufort, Bertie, Camden, Chowan, Craven, Currituck, Dare, Gates, Hertford, Hyde, Jones, Lenoir, Martin, Pamlico, Pasquotank, Perquimans, Pitt, Tyrrell and Washington.
- District 2: Edgecombe, Franklin, Granville, Greene, Halifax, Nash, Northampton, Person, Vance, Warren and Wilson.
- District 3: Carteret, Duplin, Harnett, Johnston, Onslow, Pender, Sampson and Wayne.
- District 4: Chatham, Durham, Orange, Randolph and Wake.
- District 5: Alleghany, Ashe, Davidson, Davie, Forsyth, Stokes, Surry and Yadkin.
- District 6: Alamance, Caswell, Guilford and Rockingham.
- District 7: Bladen, Brunswick, Columbus, Cumberland, Hoke, New Hanover and Robeson.
- District 8: Anson, Cabarrus, Lee, Montgomery, Moore, Richmond, Rowan, Scotland, Stanly and Union.
- District 9: Iredell, Lincoln, Mecklenburg and Wilkes.
- District 10: Alexander, Avery, Burke, Caldwell, Catawba, Cleveland, Gaston and Watauga.
- District 11: Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania and Yancey.

S 43 Felony Firearm Act (Iden. H 66)
Introducer: Knox

GS 14
Sent to JUDIC 1

"Prohibiting the possession of firearms, weapons and narcotics by felons." Identical with H 66 digested in the House section of today's Bulletin.



S 45 Regulating rock festivals
Introducer: Bagnal, and others

GS 153
Sent to JUDIC 1

"To further empower counties to regulate 'Rock Festivals'." Amends GS 153-9 by adding subsection (65) empowering county commissioners to enact reasonable rules and regulations regarding, but not limited to, sanitation, medical facilities, and bond requirements (as insurance against loss of property or personal injury based on strict liability), whenever it is anticipated that more than 25 persons will attend a gathering for 24 hours or longer. Violation by promoter, supervisor, advertiser or person in attendance punishable by maximum \$500 fine or six months' imprisonment or both.

HOUSE

H 64 (Joint Resolution) Memorializing Satterfield
Introducer: Ramsey, J.

MISC RES
Passed three readings and
sent to Senate

"Honoring Byrd I. Satterfield, former member of the General Assembly from Person County." As title indicates.

H 65 Presidential primary election (Iden. S 39)
Introducer: Twiggs and others

GS 163
Sent to ELECTION

"To provide for a Presidential preference primary election: prescribing nomination and balloting: specifying selection and obligations of delegates: and providing a penalty." Adds new Art. 19A to GS Ch. 163 providing for Presidential primary elections. Sets Presidential primaries in years when President and Vice President are to be elected, to be held on same date as first primary election is held in NC. Conduct of election and canvassing returns to be in same manner as in election for Governor. Sets forth methods of nomination. (1) Provides that a Committee consisting of the Chief Justice of NC Supreme Court, the Speaker and Minority Floor Leader of the NC House and the President Pro Tem and Minority Floor Leader of NC Senate shall nominate by 60 days before presidential primary generally advocated or nationally recognized candidates of dominant political parties for President. (2) Also provides that within 30 days after Committee nominations a candidate, or persons organized to sponsor his candidacy, of a national political party may be nominated by petitions signed by a number of qualified voters in each NC Congressional district equal to not less than 2% of the total number of votes cast for President in the district in last preceding Presidential election.

Requires NC Sec. of State to notify each qualified candidate that his name will be on his party's primary ballot and to collect filing fee of \$500; if fee not paid, candidate is deemed to have withdrawn. Allows voters to vote for candidates or for an uncommitted delegation to their party's national convention. Requires Sec. of State to notify State Chm. of each political party concerning election results. Requires each party to select delegates and alternates to its national convention and to allocate its delegates and alternates in proportion to election returns (to the candidates or to an uncommitted delegation). Requires each delegate and alternate to file declaration of acceptance setting forth his qualifications and his pledge to vote for candidate to whom he is pledged. Requires Sec. of State to certify the delegates and alternates to the national parties. Provides for maximum fine of \$1000 and/or maximum jail sentence of 10 days for violation.

H 66 Felony Firearm Act (Iden. S 43)
Introducer: Foley and Lawing

GS 14
Sent to JUDIC 2

"Prohibiting the possession of firearms, weapons and narcotics by felons." Adds Art. 54A to GS Ch. 14 making it unlawful for any person who has been convicted (as defined in Act) in any court in NC, any other state court or any federal court of a crime punishable by imprisonment in excess of 2 years to purchase or possess firearms, explosives, burglary tools, deadly weapons, marijuana or depressant, stimulant or narcotic drug (unless prescribed by physician). Violation constitutes a felony punishable by maximum of 10 years and \$5,000 fine. Indictment under this section must set forth date of offense, type offense, record of conviction, and penalty of prior offense, and indictment under this Act must be separate from indictments for other offenses. In cases under this Act record of prior convictions shall be **admissible** in evidence, but only for purpose of proving person has been convicted of previous offense carrying penalty of more than 2 years.

H 69 Electing Highway Commissioners (Iden. S 17)
Introducer: Brown of Wilkes

GS 136
Sent to ROADS

"To provide for the election of the members of the State Highway Commission."
Identical with S 17, digested in Bulletin No. 1, p. 5.

LOCAL BILLS INTRODUCED

SENATE

S 38 Comm'r, school bd. pay
Introducer: Larkins

GREENE
Sent to LOC GOVT

"Relating to the pay of Greene County commissioners and Greene County Board of Education." Changes salary of chairmen of county commissioners and bd. of education to \$30 per diem (now \$30 per month) and of other commissioners and ed. bd. members to \$25 per diem (now \$25 per month) by amending SL 1967, Chs. 783 and 784.

S 40 Seven Springs elections
Introducer: Strickland

WAYNE
Sent to LOC GOVT

"To provide staggered terms for commissioners of the Town of Seven Springs (formerly the Town of Whitehall in Wayne County)." Provides for governing board for Seven Springs (formerly Whitehall) of mayor and 5 commissioners to be elected as follows: mayor to be elected (initially) in May, 1973, for 2-year term; all 5 commissioners to be elected (initially) in May, 1973, 3 with highest number votes serving a 4-year term, 2 next highest serving initial term of only 2 years, all 5 serving 4-year terms thereafter. Effective July 1, 1971.

S 44 Greensboro land dedication (Iden. H 68)
Introducer: McLendon, Bowles, Murrow

GUILFORD
Sent to LOC GOVT

"Authorizing the City of Greensboro to dedicate to parks, recreation and other open-space uses at fair market appraisal certain lands acquired for cemetery purposes."
Identical with H 68, digested in House section of today's Bulletin.

HOUSE

H 67 Abolishing county treasurer
Introducer: Culpepper

PASQUOTANK
Sent to LOC GOVT

"Relating to the Treasurer and Auditor of Pasquotank County." Abolishes the office of Treasurer and transfers all duties to Auditor of county. Effective July 1, 1971.

H 68 Greensboro land dedication (Iden. S 44)
Introducer: Smith of Guilford

GUILFORD
Sent to JUDIC 2

"Authorizing the City of Greensboro to dedicate to parks, recreation and other open-space uses at fair market appraisal certain lands acquired for cemetery purposes."
As title indicates.

SENATE AND HOUSE

CALENDAR ACTION

JAN.22,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- #S. 19 (J.RES.) MEMORIALIZING WILLIAMS. RATIFIED.
#S. 21 (J.RES.) MEMORIALIZING HUMBER. RATIFIED.
S. 25 UNMARKED STATE VEHICLES. S-FLOOR AMEND FAILED; S-PASSED 2ND READING; S-PLACED ON CAL FOR JAN 25.

H. 41 (J.RES.) VIET NAM PRISONERS OF WAR. S-REC FROM HOUSE; S-REF TO COM ON VETERANS.
H. 64 (J.RES.) MEMORIALIZING SATTERFIELD. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.

The Speaker of the House on January 22 named the following members to the following Committees:

Alcoholic Beverage Control: Sneed High, Chairman; Chris Barker, Jr., Vice Chairman; J. F. Mohn, Vice Chairman; Howard A. Penton, Jr., Vice Chairman; R. C. Soles, Jr., Vice Chairman; Beard; Campbell; Cobb; DeBruhl; Eagles; Frye; Gardner; Hege; Hunt; Johnson, S.; Josey; Martin; McKnight; Odom; Roberson; Whichard.

Banks and Banking: Carl J. Stewart, Jr., Chairman; Richard S. Clark, Vice Chairman; John S. Stevens, Vice Chairman; Carl V. Ventors, Vice Chairman; Baker; Barker; Blake; Bright; Burrus; Collins; DeBruhl; Gardner; Gentry; Hardison; Jernigan, G.; Johnson, James C.; Martin; Mauney; Payne; Penton; Ramsey, L.; Rountree, H.; Royall; Short; Taylor; Webster.

Correctional Institutions: Robert Z. Falls, Chairman; T. Clyde Auman, Vice Chairman; Richard S. Clark, Vice Chairman; R. C. Soles, Jr., Vice Chairman; Blake; Campbell; Haynes; Johnson, Joy J.; Kincaid; McKnight; Rhyne; Rogers; Webster; Whichard; Wynne.

Libraries: Thomas B. Hunter, Chairman; Julian B. Fenner, Vice Chairman; J. Worth Gentry, Vice Chairman; C. W. Phillips, Vice Chairman; Blake; Haynes; Hege; Jemison; Marion; Odom; Paschall.

Military and Veterans' Affairs: Claude DeBruhl, Chairman; David W. Bumgardner, Jr., Vice Chairman; Archie Burrus, Vice Chairman; J. F. Mohn, Vice Chairman; Bostian; Brown, J.; Jernigan, G.; Johnson, Joy J.; Kincaid; Lawing; Lilley; McDaniel; Mitchell; Raynor; Tart; Webster.

Public Utilities: Jule McMichael, Chairman; Robert Z. Falls, Vice Chairman; James E. Ramsey, Vice Chairman; Howard Twiggs, Vice Chairman; Arnold; Beatty; Bumgardner; Cobb; Collins; Farmer, R.; Martin; Mason; Mayfield; Nash; Payne; Smith, A.; Warlick.

Next Sessions of Senate:

9:30 a.m., Saturday, January 23, 1971, for the consideration of local bills only.

8:00 p.m., Monday, January 25, 1971.

Next Sessions of House:

10:00 a.m., Saturday, January 23, 1971, for the consideration of local bills only.

8:00 p.m., Monday, January 25, 1971.

WEEKLY BULLETIN OF LOCAL LEGISLATION

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
P. O. BOX 7294, RALEIGH, N. C.
27611 TEL. 755-3355
829-7677

One of the reports the Institute of Government's Legislative Service provides is the *Weekly Bulletin of Local Legislation*. This bulletin reports for each county all local legislation affecting that county, or municipalities therein, which was introduced and/or acted upon by the General Assembly during the week ending each Friday. It is mailed to a selected list of local officials in each county.

Introductions: The Bulletin shows all introductions by bill number and short title. It lists all the introducers and shows the initial committee to which referred. The official title of the bill is noted in *italic*, followed by a digest of the bill's text prepared by the Institute staff. The digest of the bill, and any amendments thereto, is produced as it appears in the Institute *Daily Bulletin*.

H 1237 7 Springs comm'rs
Introducers: Strickland & Chase

Wayne
Sent to LOC GOVT

"To amend the Charter of the Town of Seven Springs to increase the number of commissioners from three to four." Amends town's charter as title indicates; additional comm'r to be appointed by elected comm'rs until regular 1971 election.

S 737 Goldsboro Charter amendments
Introducer: L. Warren

Wayne
Sent to LOC GOVT

"To amend the Charter of the City of Goldsboro, North Carolina, as revised, reorganized and amended by Chapter 447 of the Session Laws of 1961, as amended." Changes date of Goldsboro Aldermen organization meeting from Tuesday to Friday after election. Adds: (a) prohibition against write-in votes in City primary and election; (b) procedure for disposal of surplus realty on upset bids and deposits; and (c) procedures for disposal of surplus personalty at private sale on irregular

Action: The latest action that has been taken on every bill for that county is reported. The date and type of action (H-House, S-Senate, R-Ratified) is shown. This is a cumulative list of bills for each county, prepared from computer files containing information on all legislative actions of the General Assembly.

LOCAL BILLS COUNTY OF WAYNE

* ASTERISK INDICATED THAT TEXT OF ORIGINAL BILL WAS CHANGED BY SOME ACTION	
= EQUAL SIGN INDICATES THAT THE ORIGINAL BILL IS IDENTICAL TO ANOTHER BILL	
BILL NO.	SHORT TITLE
H. 0943	1% SALES/USE TAX
H. 1063	WATERSHED IMPROVEMENT PROGRAMS
H. 1237	7 SPRINGS COMM'RS
	LATEST ACTION ON BILL THROUGH 5/30/69
	H-5/05 REF TO COM ON FINANCE
	S-5/29 REF TO COM ON LOC GOVT
	H-5/30 REPTD UNFAV

DAILY BULLETIN

The General Assembly of North Carolina

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BULLETIN NO. 9

-53-

MONDAY, JANUARY 25, 1971

Note: The Senate convened at 9:30 a.m. and the House at 10:00 a.m. on Saturday, January 23, 1971, for consideration of local bills only.

PUBLIC BILLS INTRODUCED

SENATE

S 46 Council of State quorum
Introducer: Allsbrook

GS 143
Sent to ST GOVT

"To provide that a quorum for any meeting of the Council of State shall be five members." Adds new GS 143-13.1 as title indicates. Effective July 1, 1971.

S 47 (Senate Resolution) Eure legislative school
Introducer: F. Jones

GS 120
Adopted

"Requesting the Honorable Thad Eure, Secretary of State, to conduct a legislative school of parliamentary procedure for such members of the Senate and others as may wish it." As title indicates, requests Honorable Thad Eure to conduct school of instruction in parliamentary procedure in accordance with long standing custom. (Identical with H 42, digested in Bulletin No. 6 at p. 35, except that H 42 refers to school for House members.)

S 48 Gen. Stat. Comm. vacancies
Introducers: Kirby and Strickland

GS 164
Sent to ST GOVT

"To provide for a more orderly filling of vacancies on the General Statutes Commission." Amends GS 164-14(d) to provide that any vacancy on Comm'n which has not been duly filled by July 31 of year in which vacancy occurred shall be filled by Comm'n by majority vote at its next meeting. Effective October 1, 1971.

S 49 Service of process on sheriff
Introducers: Strickland and Kirby

GS 1, 162
Sent to JUDIC 1

"To provide for service or execution of process on the sheriff where no proper officer is present." Adds new provisions to GS Ch 162-16 and GS Ch 1-313, applicable in counties where office of coroner has been abolished or is vacant and where process is required to be served or executed upon sheriff, permitting clerk of court from which process is issued to appoint, on his own motion or upon affidavit, a person to serve or execute process. Effective October 1, 1971.

S 50 In-state divorce process
Introducer: Deane

GS 50
Sent to JUDIC 2

"To amend Chapter 50 of the General Statutes to specify the manner of service of process in divorce actions." Adds GS 50-1.1 providing service of process of divorce action shall be according to GS 1A-1, Rule 4(J) except that such service



shall not be by the method of leaving copies of summons and complaint at defendant's dwelling house or usual place of abode.

S 51 Highway litter fine GS 14, 136
Introducers: Baugh and others Sent to ROADS

"To increase the fine for placing trash on the highways." As title indicates, amends GS 14-399 to increase maximum fine from \$50.00 to \$500.00 per offense.

S 52 Indecent exposure act GS 14
Introducer: Coggins Sent to JUDIC 2

"Prohibiting indecent exposure." Adds new GS Ch 14-190.9 making it illegal for any person wilfully to expose the private parts of his or her person in any public place and in the presence of any other person or persons, or aid, abet or procure such act, or act as owner, manager, lessee, director, promoter or agent or in any other capacity in hiring, leasing, or permitting land, building or premises of which he is owner, lessee or tenant or over which he has control to be used for purposes of such exposure. Sets maximum penalty, a misdemeanor, of \$500.00 or six months' imprisonment or both.

HOUSE

H 73 Emergency Finance Act of 1971 GS 105, 153, 160
Introducer: S. Johnson Sent to FINANCE

"Known as the Emergency Finance Act of 1971." Authorizes counties, and governmental units located within counties, that adopted the local sales tax (GS 105-164.45 to 164.58) to make amendments in any appropriation or revenue item in any fund, reduce appropriations, or transfer revenues, other than property taxes, from one fund to another in order to balance their 1970-71 budgets. Further declares that any deficit in the 1970-71 budget of any unit that adopted the local sales tax that is caused by actual or anticipated failure of local sales tax revenue shall be a "casual deficit" within the meaning of Art. V, Sec. 4 of the Constitution, and any unit incurring such deficit may issue its bonds to fund it pursuant to the County or Municipal Finance Act without vote approval.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 70 Wilson mapped streets WILSON
Introducer: Paschall Sent to JUDIC 1

"To amend the Charter of the City of Wilson." Introduced Friday, January 22. Adds to Wilson Charter a "Mapped Streets Act", which authorizes Wilson City Council to adopt an official map containing street lines of projected streets, and providing that City must thereafter be given opportunity to acquire land within mapped streets at its unimproved value (failure to give City notice of intended construction and opportunity to acquire unimproved land bars recovery for value of improvements).

H 71 Five-day banks
Introducer: Barker

CRAVEN
Sent to BANKS

"To amend G.S. 53-77.2 to authorize the operation of banks in Craven County on a five-day week basis." Provides any commercial bank in Craven County may, after giving notice to the Comm'r of Banks, operate on a five-day week basis (Under GS 53-77.2 generally five-day week would be possible only when requested by all banks in a city or town.)

H 72 Chapel Hill-Carrboro Ed. Bd.
Introducer: Carl M. Smith

ORANGE
Sent to EDUCATN

"To amend Chapter 254 of the Session Laws of 1955 as it relates to the designation of the Chapel Hill City Board of Education." Changes references to the Chapel Hill City Board of Education to the "Chapel Hill-Carrboro City Board of Education", and references to the Chapel Hill Administrative School Unit to the "Chapel Hill-Carrboro Administrative School Unit."

AMENDMENTS AND COMMITTEE SUBSTITUTIONS

S 25 Unmarked State vehicles (Digested in Bulletin No. 6, p.31.) Amendment adopted in Senate, 1/25/71 provides that Council of State rather than the Governor and Council of State shall have exemption authority described in act. Adds stipulation that vehicles exempted shall be filed with the Secretary of State.

SENATE AND HOUSE

CALENDAR ACTION

JAN. 25, 1971

- NOTES:
1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 25 UNMARKED STATE VEHICLES. S-Floor amendment adopted. Passed 3rd reading - sent to House.
- S 47 EURE LEGISLATIVE SCHOOL. S-Passed 2nd and 3rd reading.

Next sessions of Senate and House: 12 noon, Tuesday, January 26, 1971.

#

DAILY BULLETIN

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BULLETIN NO. 10

-57-

TUESDAY, JANUARY 26, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 53 Auto bumpers
Introducers: Flaherty and others

GS 20
Sent to HY SAFTY

"To require bumpers sufficient to withstand impacts at 5 miles per hour to be installed on all motor vehicles sold in North Carolina after January 1, 1974." As title indicates, adds GS 20-135.4.

S 54 (Joint Resolution) Honoring Guilford
Introducers: McLendon and Bowles

MISC RES
Passed 2nd and 3rd reading

"Honoring Guilford County in the observance of its 200th Anniversary." As title indicates.

S 55 Adoptions venue
Introducer: Strickland

GS 48
Sent to JUDIC 1

"To provide that venue for an adoption proceeding may be any county in the State when no objection is entered." Amends GS 48-12 by adding two new subsections providing (1) that an adoption petition may be filed and proceedings completed in any NC county unless parent, guardian or person having custody files written objection within 30 days after petition is filed or within 30 days after receiving notice of proceedings, and (2) that if an objection is filed venue shall be as set forth in present statute. Applies to pending proceedings.

S 56 Insur. Comm'r-process agent
Introducers: Strickland and Kirby

GS 58
Sent to JUDIC 1

"To provide for acceptance of service of process by Insurance Commissioner as process agent." Rewrites GS 58-153 to provide that service of process on companies authorized to do business under Ch 58 (insurance, bonding, and surety companies) may be made by delivering a copy of such process with the Insurance Comm'r or his deputy, and that as a condition precedent to valid service the party obtaining service shall pay to the Comm'r \$1, which shall be recoverable as costs of the action. Rewrites GS 58-154 to provide that when service is made under GS 58-153, Comm'r shall notify company served of such service within two business days thereafter, and the time within which to file a responsive pleading under Ch 1A is extended by 10 days. Effective Oct. 1, 1971.

S 57 Stopping on highways
Introducers: Strickland and Kirby

GS 20
Sent to HY SAFTY

"To rewrite GS 20-161 dealing with vehicles stopped on public highways." Generally rewrites and clarifies GS 20-161 to provide that no person shall park



or leave any vehicle upon the paved or main travelled portion of highway or bridge unless vehicle is so disabled that it is impossible to avoid stopping and temporarily leaving the vehicle. Provides that no person shall park or leave any vehicle on highway shoulder unless vehicle can be clearly seen by approaching drivers from a distance of 200 feet in both directions and does not obstruct normal movement of traffic. Requires operators of disabled trucks, trailers and semi-trailers to display warning signals not less than 200 feet in front and rear of vehicle--red flags in daytime and red flares or reflectors at night time (type of flares or reflectors to be first approved by Comm'r of Motor Vehicles). Owner of disabled vehicle deemed to appoint investigating law enforcement officer his agent for (1) when practicable, removing vehicle to shoulder, (2) when removal is impractical, arranging for transporting, safely storing vehicle and obtaining receipt from person transporting and storing vehicle. Repeals GS 20-219.1 (authorizing towing of vehicles parked or abandoned for 48 hours).

S 58 Master form deed of trust
Introducers: Strickland and Kirby

GS 47
Sent to JUDIC 1

"To amend G.S. 47-21 to provide for blank or master forms of mortgages and deeds of trust." Rewrites existing statute relating to use of master forms for mortgages and deeds of trust, as follows: (1) Eliminates exemption of 28 listed counties from statute. (2) Permits blank or master forms of instruments conveying a security interest or lien on realty or personalty to be filed and registered with register of deeds, and to be indexed in same manner as other such instruments. When such form is registered, instruments may subsequently be executed and registered which incorporate certain provisions of master form by reference to its provisions, by book and page number.

HOUSE

H 74 Recovery of deposition costs
Introducer: Whichard

GS 1A, 6
Sent to JUDIC 1

"To allow the recovery of costs incurred in taking depositions and in furnishing requested copies thereof." Amends GS 1A-1, Rule 30(f) (3), to require party filing a deposition promptly notify all other parties of its filing (no longer required to furnish a copy to other parties). Rewrites GS 6-21(6) to delete reference to referees' and commissioners' compensation at the taking of depositions, and to provide instead that costs of taking depositions and furnishing copies may be taxed against either party, or apportioned among them, in court's discretion. Effective October 1, 1971.

H 75 Fire ins. stat. of limitations
Introducer: Whichard

GS 1, 58
Sent to JUDIC 1

"To insert the one-year limitation of actions contained in the Standard Fire Insurance Policy for North Carolina into the list of one-year limitations on actions contained in GS 1-54." Adds new subsection GS 1-54(7) providing that the one year statute of limitations shall apply on loss claims covered by an insurance policy subject to twelve-month limitation contained in lines 158-161 of Standard Fire Insurance Policy for NC, GS 58-176(c).

H 76 Gen. Stat. Comm'n membership
Introducer: Whichard

GS 164
Sent to JUDIC 1

"To amend GS 164-14 relating to the membership of the General Statutes Commission." As title indicates, adds one new member to Comm'n, to be appointed by dean of the N. C. Central University school of law. Initial appointment to be for term

expiring May 31, 1972. Succeeding appointments to be made in even-numbered years for two-year terms beginning June 1 in year of appointment.

H 77 Highway littering presumption
Introducer: McKnight

GS 14
Sent to HY SAFTY

"To create a presumption that the driver of a motor vehicle from which trash is dropped upon a highway is guilty of a violation of GS 14-399." As title indicates, adds new paragraph to GS 14-399 providing that whenever evidence is presented that any trash, refuse, garbage, explosive or incendiary material is thrown or dropped from a vehicle upon any highway, proof of operation of vehicle at time in question is prima facie evidence of violation. Provides that violation is punishable by minimum fine of \$10.00 and maximum fine of \$500.00 (present penalties are same minimum fine but maximum fine of \$50.00).

H 78 Worthless check law
Introducer: Farmer

GS 14
Sent to JUDIC 1

"To rewrite the worthless check law." Amends punishment provisions of GS 14-107 (worthless check law) as follows: (1) for check not over \$50.00 first offense can be punished by fine not more than \$50.00 or imprisonment not more than 30 days; for second conviction by fine up to \$100.00 or imprisonment up to 6 months; and for third and subsequent convictions by imprisonment up to 1 year; (2) for check over \$50.00 by fine up to \$500.00 or imprisonment up to 6 months or both; for second conviction by fine not more than \$1,000 or imprisonment not more than 1 year or both; for third and subsequent convictions by imprisonment up to 2 years. (Present GS 14-107 provides maximum \$50.00 fine or 30 days imprisonment for worthless check of not more than \$50.00 and maximum \$500.00 fine or imprisonment 6 months or both for check over \$50.00.)

Adds new GS 14-107.1 providing that drawing, etc. of check refused by bank because of lack of funds or credit shall be prima facie evidence of intent to violate GS 14-107 unless maker of check pays holder amount of check together with interest and collection expenses within 5 days of receiving notice of overdraft. Stipulates notice by certified or registered mail to last known address of maker equivalent to notice having been received by maker when such notice is evidenced by return receipt. If check shows address of maker on its face, notice requirement satisfied if sent by certified or registered mail whether or not return receipt is requested. No notice required for check drawn on bank in which maker has no account. Adds new GS 14-107.2 providing notation on check of "not sufficient funds" or "no account in this name" or words of similar import shall in themselves be prima facie evidence that said notation is correct.

H 79 School disturbers
Introducer: McDaniel

GS 14, 115
Sent to JUDIC 2

"To protect the public schools of the State from intruders, trespassers and persons carrying firearms and other weapons." Makes it unlawful for any person in any school building, campus, athletic field or other school property to possess any firearm, knife, blackjack or similar weapon or instrument not used solely for instructional purposes. Provisions do not apply to specified persons in discharge of official duties, including members of armed forces, U.S. civil officers, national guard or militia or members of ROTC, local or State officials or to any other person granted principal's written permission. Makes it unlawful for any person to enter or remain on school property after being forbidden to do so by the superintendent, ass't superintendent, principal or ass't principal. Violations are misdemeanors punishable by maximum fine of \$500 or maximum six months' imprisonment or both.

ERRATA

The following information was inadvertently omitted from the digest of S 33-H 53 (Budget appropriation) in Bulletin No. 7: On the back of the first unnumbered green sheet of the digest insert under the heading "PUBLIC SAFETY AND REGULATION", after the words "Insurance Department: 1. Insurance Department" add the following words and figures:

2. State Property Fire Insurance Fund	\$ 250,000	\$ 250,000
3. Firemen's Relief Fund	1,750	1,750
4. Building Code Council	2,600	2,600
Department of Labor	1,121,517	1,127,542
Industrial Commission	717,533	726,911
State Board of Alcoholic Control	1,131,157	1,312,644
Department of Agriculture - Gasoline and Oil Inspection Service	<u>165,849</u>	<u>163,451</u>
Subtotal-Public Safety and Regulation	<u>\$ 7,307,604</u>	<u>\$ 7,625,295</u>

CORRECTION

North Carolina Board of Juvenile

Correction:

1. General Administration	\$ 190,178	\$ 193,735
2. Stonewall Jackson Training School	1,059,495	1,089,782
3. Samarkand Manor	1,058,966	1,081,645
4. Cameron Morrison School	1,163,380	1,179,914
5. Richard T. Fountain School	790,614	809,250
6. State Training School for Girls	746,567	763,837
7. Samuel Leonard School	859,737	888,061
8. Juvenile Evaluation Center	1,323,790	1,358,281
9. C. A. Dillon School	569,834	592,895
Fugitives from Justice	6,500	6,500
Department of Correction	26,471,851	28,638,731

SENATE AND HOUSE

CALENDAR ACTION

JAN. 26, 1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- #S. 24 (J.RES.) VIET NAM PRISONERS OF WAR, S-POSTPONED INDEF.
S. 54 (J.RES.) HONORING GUILFORD, S-PASSED 2ND & 3RD READING.
H. 41 (J.RES.) VIET NAM PRISONERS OF WAR, S-REPTD FAV.

LOCAL BILLS

- H. 30 (WAYNE) DOG LAW EXEMPTION, H-REPTD FAV.

The Speaker of the House on January 26 named the following members to the following Committees:

Commercial Fisheries and Oyster Industry: Archie Burrus, Chairman; W. T. Culpepper, Jr., Vice Chairman; R. C. Soles, Jr., Vice Chairman; Bright; Everett; Harrelson; James; Mason; Mitchell; Rountree, H.; Smith, M.;

Congressional Districts: H. Horton Rountree, Chairman; Herschel S. Harkins, Vice Chairman; Sneed High, Vice Chairman; C. E. Leatherman, Vice Chairman; Andrews; Barbee; Brown, R.; Davis; Gentry; Hardison; Harris; Holshouser; Johnson, James C.; Josey; Kemp; Messer; Miller; Rhyne; Short; Speros; Venters; Vogler.

Corporations: Richard S. Clark, Chairman; Robert A. Jones, Vice Chairman; Hugh Campbell, Jr., Vice Chairman; Ed M. McKnight, Vice Chairman; DeBruhl; Farmer, F.; Hunt; Johnson, James C.; Johnson, S.; Love; Miller; Ramsey, J.; Rountree, H.; Speros.

Local Government: Jimmy L. Love, Chairman; Robert Z. Falls, Vice Chairman; P. C. Collins, Jr., Chairman Sub-Committee #1, Local Legislation; Carl V. Venters, Chairman Sub-Committee #2, General Legislation; Bumgardner; Chase; Cobb; Culpepper; DeBruhl; Farmer, R.; Harkins; Hicks; Hunter; Lawing; Long; Mayfield; McKnight; McMichael; Patton; Ramsey, L.; Warlick; Webster.

Manufacturers and Labor: Ernest L. Hicks, Chairman; Jimmy L. Love, Vice Chairman; Ernest B. Messer, Vice Chairman; Dwight W. Quinn, Vice Chairman; Blake; Bostian; Burrus; Everett; Fenner; Hege; Jernigan, R.; Kemp; Lawing; Mauney; Mayfield; Nash; Rhyne; Rountree, H.; Royall.

Mental Health: Joe B. Raynor, Jr., Chairman; James T. Beatty, Vice Chairman; Chris Barker, Jr., Vice Chairman; Carl J. Stewart, Jr., Vice Chairman; Chase; Fulton; Gardner; Harrelson; Hightower; Jemison; Jernigan, G.; Miller; Nash; Odom; Patton; Payne; Speed; Wynne.

Public Buildings and Grounds: J. F. Mohn, Chairman; Robert O. Payne, Vice Chairman; Jack L. Rhyne, Vice Chairman; James D. Speed, Vice Chairman; Farmer, F.; Fulton; Hicks; Ingram; Johnson, Joy J.

State Legislative Districts: Liston B. Ramsey, Chairman; W. T. Culpepper, Jr., Vice Chairman; Samuel H. Johnson, Vice Chairman; Robert A. Jones, Vice Chairman; Arnold; Baker; Beard; Blake; Bright; Bundy; Clark; Eagles; Frye; Green; Haynes; Huskins; Jernigan, R.; Lawing; Long; Marion; McMichael; Paschall; Patton; Penton; Quinn; Raynor; Roberson; Rogers; Smith, C.; Snyder; Soles; Stewart; Watkins.

University Trustees: J. Ernest Paschall, Chairman; Allen C. Barbee, Vice Chairman; C. E. Leatherman, Vice Chairman; Howard A. Penton, Jr., Vice Chairman; Andrews; Beatty; Collins; Culpepper; DeBruhl; Falls; Fenner; Green; Haynes; Hunter; James; Phillips; Ramsey, L.; Smith, C.

Water (and Air) Resources: Norwood E. Bryan, Jr., Chairman; W. K. Mauney, Jr., Vice Chairman; William R. Roberson, Jr., Vice Chairman; John S. Stevens, Vice Chairman; Beard; Davis; Farmer, R.; Harrelson; Hunt; Long; Marion; Mason; McFadyen; Payne; Rogers; Rountree, G.; Smith, C.; Speros; Wynne.

Next sessions of Senate and House: 12 noon, Wednesday, January 27, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

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BULLETIN NO. 11

-63-

WEDNESDAY, JANUARY 27, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 59 Appointment of judges-Const. (Iden. H 84)
Introducers: Bailey and Harrington

CONSTITUTION
Sent to COURTS

"To amend the Constitution of North Carolina as amended effective July 1, 1971, to provide for nonpartisan merit selection of Justices and Judges of the General Court of Justice." Identical with H 84 digested in the House section of today's bulletin.

S 60 Appointment of judges-stat. (Iden. H 85)
Introducers: Bailey and Harrington

GS 7A, CONSTITUTION
Sent to COURTS

"To create a Judicial Nominating Commission and to implement the nonpartisan merit plan for the selection of judges as required by Article IV, Section 16 of the North Carolina Constitution." Identical with H 85 digested in the House section of today's bulletin.

S 61 Censure, removal of judges (Iden. H 86)
Introducers: Bailey and Harrington

CONSTITUTION
Sent to COURTS

"To amend Article IV of the Constitution of North Carolina, as amended effective July 1, 1971, to authorize the General Assembly to prescribe procedures for the censure and removal of Justices and Judges of the General Court of Justice." Identical with H 86 digested in the House section today's bulletin.

S 62 Judicial Standards Commission (Iden. H 87)
Introducers: Bailey and Harrington

GS 7A, CONSTITUTION
Sent to COURTS

"To create a Judicial Standards Commission with authority to recommend to the Supreme Court censure or removal of Judges of the General Court of Justice." Identical with H 87 digested in the House section of today's bulletin.

S 63 Retirement of judges-Const. (Iden. H 88)
Introducers: Bailey and Harrington

CONSTITUTION
Sent to COURTS

"To amend the Constitution of North Carolina as amended effective July 1, 1971, to require the General Assembly to prescribe maximum age limits for service as a justice or judge." Identical with H 88 digested in the House section of today's bulletin.

S 64 Retirement of judges-stat. (Iden. H 89)
Introducers: Bailey and Harrington

GS 7A, CONSTITUTION
Sent to COURTS

"To prescribe maximum age limits for service as a Justice or Judge of the General



Court of Justice." Identical with H 89 digested in the House section of today's bulletin.

S 65 Tax refund-sewerage districts
Introducer: Taylor

GS 105
Sent to FINANCE

"To provide for sales tax refunds to metropolitan sewerage districts." Rewrites GS 105-164.14(c) to provide that metropolitan sewerage districts shall be entitled to the same refunds of State sales and use taxes as are presently granted to counties, cities, towns, and sanitary districts.

S 66 Public school merger-city
Introducer: Combs

GS 115
Sent to EDUCATN

"To amend GS 115-74.1 requiring a vote of the people in the districts affected of any plan of consolidation or merger of county and city school administrative units located in the same county." Rewrites GS 115-74.1 to provide for consolidation and merger of city school administrative units with contiguous city school administrative units and with county school administrative units upon approval of voters in areas affected. Authorizes county commissioners to call for referendum. (Present statute requires prior approval of plan by State Board of Education, county comm'rs and school boards in affected jurisdictions, and permits but does not require voter approval. Present statute also sets forth in detail provisions that plan must embody.)

S 67 Public school merger-counties
Introducer: Combs

GS 115
Sent to EDUCATN

"To amend GS 115-74.2(b) providing for the submission to a vote of the people of the geographic area affected whether two or more adjoining county school administrative units shall be merged." Rewrites GS 115-74.2(b) to require plan of merger, including arrangements for financing or taxing for schools in new administrative units, to be submitted for approval of voters in areas affected. (Now, permits but does not require vote.) Provides board of county commissioners in each county affected by plan may call for referendum.

S 68 Driver license-old convictions
Introducer: Crawford

GS 20
Sent to HY SAFETY

"To amend the motor vehicle laws to provide that convictions older than 10 years shall not be considered in determining whether or not to suspend or revoke driving privileges." Adds new GS 20-36 as title indicates.

HOUSE

H 80 (Joint Resolution) Criminal Code Commission
Introducer: Ramsey (Iden. S 37)

STUDY, GS 14, 15, 143
Sent to JUDIC 2

"Creating the Criminal Code Commission." Identical with S 37 digested in Bulletin #7, p. 39.

H 81 Tax lien certification
Introducer: Whichard

GS 44A
Sent to JUDIC 1

"To provide for the certification of the existence and amounts of assessment and tax liens against real property." Adds article 3 to GS Ch 44A to provide that when any

person requests amount of tax liens or assessments against real property to a county, city, sanitary district, water district, drainage district, or other municipal corporation authorized to levy ad valorem taxes or otherwise acquire liens on real property, and includes adequate description of property and tenders \$1 fee, he shall be furnished with certificate stating amount of liens or assessments asserted against the property by that governmental unit. Execution and delivery of certificate shall bar governmental unit issuing it from asserting any liens not set forth in certificate as against said property for the years and in names of owners of record described in request. If certificate not issued within 10 days of receipt of request, it is conclusively presumed that governmental unit involved asserts no liens against the property for years and in names described. Sets out standard form for request for certificate. Each governmental unit named above to designate some person or persons to execute certificates. Effective Oct. 1, 1971.

H 82 Auto insurance rates, age-1
Introducer: Ingram

GS 58
Sent to INSUR

"To amend Article 25 of Chapter 58 of the General Statutes to remove age discrimination in the fixing of rate classifications." Adds new GS 58-248.9 providing age of owner or driver shall not affect rate classifications for ascertaining premium charged for coverages insuring against loss from liability imposed by law for bodily injury and property damage arising out of ownership, maintenance or use of motor vehicle registered or principally garaged in North Carolina. Effective January 1, 1972 as to premium rates charged on insurance policies issued or renewed after said date.

H 83 Auto insurance rates, age-2
Introducer: Ingram

GS 58
Sent to INSUR

"To amend Article 13 of Chapter 58 of the General Statutes to remove age discrimination in the fixing of rate classifications." Adds new GS 58-131.2A providing age of owner or driver shall not affect rate classifications for ascertaining premium charged for coverages insuring against loss from physical damage to motor vehicles registered or principally garaged in North Carolina. Effective January 1, 1972 as to premium rates charged on insurance policies issued or renewed after said date.

H 84 Appointment of judges-Const. (Iden. S 59)
Introducers: Short and others

CONSTITUTION
Sent to COURTS

"An Act to Amend the Constitution of North Carolina as amended effective July 1, 1971, to provide for nonpartisan merit selection of justices and judges of the General Court of Justice." Rewrites Article IV, Section 16 of Constitution (as amended effective July 1, 1971) to direct General Assembly to provide for a judicial nominating commission to recommend to the Governor names of qualified nominees for judgeships of General Court of Justice. When a judicial vacancy occurs, Governor must fill it by appointment from a list of nominees submitted by the nominating commission. If Governor fails to appoint within 30 days, Chief Justice makes the appointment from the same list. Appointees hold judgeships until December 31 after next general election which occurs more than one year after appointment. At such general election, appointees who desire to continue in office are subject to approval for a regular term, or rejection by the voters. If voters reject a judge, his office becomes vacant at end of his term of appointment, and is filled by appointment by Governor as just described.

Regular term of office of Appellate or Superior Court Division justice or judge is eight years; term of District Court Judge is fixed by General Assembly, but not more than eight years. Voters of whole state vote on retention of Appellate Division Judges; voters of judicial districts vote on retention of District Court Judges; voters of whole state, judicial division, or judicial district, as General Assembly may elect, vote on retention of superior court judges. Justice or judge in office on January 1, 1973 continues to serve for remainder of term for which elected. Continuance in office thereafter subject to approval of voters, as provided for retention of judges appointed by Governor.

Deletes references to "election" of judges from various other sections of Article IV. Prescribes wording of ballot. Amendment to be voted on in general election of November, 1972; if amendment approved, becomes effective January 1, 1973.

H 85 Appointment of judges-stat. (Iden. S 60)
Introducers: Short and others

GS 7A, CONSTITUTION
Sent to COURTS

"An Act to create a judicial nominating commission to implement the nonpartisan merit plan for the selection of judges as required by Article IV, Section 16 of the North Carolina Constitution." Adds new Article ("Selection and Tenure of Judges") to Chapter 7A. Provides for Governor to appoint all judges of General Court of Justice from list of nominees submitted by a judicial nominating commission (JNC). JNC consists of 9 at-large members and 16 divisional members. At-large members are member of Supreme Court, elected by that court; four attorneys, each from a different judicial division, elected by the State Bar Council; and four citizens, nonlawyers, each a resident of a different judicial division, appointed by the Governor. Divisional members are eight attorneys (two per judicial division), appointed by the Governor. No two members, except the Supreme Court member, can be from same judicial district. Divisional members can sit and vote only when JNC is considering candidates for a superior or district court judgeship in their respective divisions. Terms of members of JNC are four years, with initial terms overlapping. Members who have served four years cannot be reappointed until lapse of two years. Members, other than chairman (Supreme Court member) may not hold public office, and no member may hold office in any political party. No member, other than chairman, is eligible for appointment to a judgeship during his term of office on the JNC and for two years thereafter. Members of State Bar Council cannot be members of JNC. Members of JNC entitled to same per diem and allowances as state board members generally. JNC meets or holds hearings anywhere in state, after reasonable notice to each member. Elects own acting chairman and secretary. Adopts such rules as it deems necessary, keeping in mind its sole purpose, which is to select most highly qualified nominees for each judicial vacancy. It may publicize vacancies in judicial office, and solicit declarations of availability from potential nominees, but may not nominate any person who has not filed a written declaration of availability. Names of nominees made public when submitted to Governor.

For each vacancy in Appellate Division, JNC to submit three names. For each vacancy in a trial division, JNC to submit two or three names. All nominations are by majority vote, with chairman voting only in case of a tie. Names to be submitted to Governor within 60 days after vacancy arises. Governor must appoint from list within 30 days; if he fails to do so, Chief Justice makes the appointment from the same list. Term of office of judge appointed by Governor is to December 31 following next general election which occurs more than one year after the appointment. Regular term of office of appellate or superior court judge is eight years; of a district judge who takes office after the effective date of this Act, six years. All terms begin January 1. Term of a district judge who is in office on effective date is extended from first Monday in December of his fourth year in office to the last day of the same month.

A judge who desires to continue in office beyond his current term must file with State Board of Elections four to six months before expiration of his term. Failure to file creates a vacancy at the end of the term. The ballot bears no party designation, only the question whether the judge shall be retained in office. If the vote is "no", a vacancy is created at the end of the term. For retention in office of justices and judges of the appellate and superior court divisions, the qualified voters of the whole state vote; for retention of district court judges, the voters of the respective districts vote. Incumbent judges on the effective date of this Act continue in office until the end of their terms, and may seek successive terms as set forth above. No justice or judge, no person who has declared his availability for nomination for a judgeship, and no nominee for a judgeship shall directly or indirectly make any contribution to or hold any office in a political party or organization, or take part in any partisan political campaign between opposing candidates.

Article applies to special superior court judges, whose terms, after being retained in a retention election, are eight years. Voters of entire state vote for special judges. Only two special judges allowable per judicial division. Incumbent special superior court judges continue in office for remainder of terms for which appointed, but may serve subsequent terms only if selected by Governor from a list of nominees submitted by a judicial nominating commission. Various sections of Chapter 7A amended to conform. GS 7A-45(b) (removal of special judges), 7A-142 (vacancies in district court judgeships), and 7A-147 (specialized district court judgeships) repealed. Effective January 1, 1973, provided proposed supporting constitutional amendment (H 84, S 59) is approved.

H 86 Censure, removal of judges-Const. (Iden S 61)
Introducers: Short and others

CONSTITUTION
Sent to COURTS

"An Act to Amend Article IV of the Constitution of North Carolina as amended effective July 1, 1971, to authorize the General Assembly to prescribe procedures for the censure and removal of justices and judges of the General Court of Justice." Rewrites Article IV, Section 17 of Constitution (as amended effective July 1, 1971). Adds District Court Judges to list of judges removable from office by impeachment and, for incapacity, by joint resolution of 2/3 members of each house of General Assembly. Directs General Assembly to prescribe additional procedures for removal of justice or judge for incapacity of a permanent, or likely to be permanent, nature, and for wilful misconduct in office, wilful and persistent failure to perform duties, habitual intemperance, conviction of a crime involving moral turpitude, or conduct prejudicial to the administration of justice that brings the judicial office into disrepute. Deletes requirement that General Assembly provide for removal of District Court judges for misconduct or incapacity. Continues current procedure for removal of magistrates and clerks of superior court. Amendment to be submitted to voters in November, 1972, general election, and, if approved, becomes effective January 1, 1973. Form of ballot specified.

H 87 Judicial Standards Commission-stat. (Iden. S 62)
Introducers: Short and others

GS 7A, CONSTITUTION
Sent to COURTS

"To create a Judicial Standards Commission with authority to recommend to the Supreme Court censure or removal of Judges of the General Court of Justice." Adds Article 30 "Judicial Standards Commission" to GS Ch 7A. Creates Judicial Standards Commission, composed of one Court of Appeals judge, one superior court judge, and one district court judge, each appointed by Chief Justice; two members of State Bar who have practiced for 10 years, appointed by governing body of State Bar; two citizens, appointed by Governor. Terms of members six years, overlapping. Member who has served six years not eligible for reappointment. Vacancies filled in same manner as original appointment. Members while on Commission business entitled to same per diem and allowances as members of state boards generally.

On recommendation of Commission, Supreme Court may censure or remove any justice or judge for wilful misconduct in office, wilful and persistent failure to perform his duties, habitual intemperance, conviction of a crime involving moral turpitude, or conduct prejudicial to the administration of justice that brings the judicial office into disrepute. On recommendation of Commission, Supreme Court may also remove any justice or judge for mental or physical incapacity interfering with the performance of his duties which is, or is likely to become, permanent. Judge removed for incapacity entitled to retirement compensation if he is qualified for it under any state law, but cannot sit as an emergency judge. A justice or judge removed for other than incapacity receives no retirement compensation, and cannot hold further judicial office. Any citizen of state may file a written complaint concerning conduct of a judge with Commission, which may investigate complaint. Commission may compel attendance of witnesses, administer oaths, punish for contempt, and prescribe its own rules of procedure. Due process of law hearing must be offered any justice or judge prior to recommendation for censure or removal. Commission proceedings are confidential until such time as its recommendations are made to Supreme Court. Evidence before Commission is privileged. Four (of 7) Commission members must concur in any recommendation to censure or removal or to dismiss the proceedings. A justice or judge is disqualified from acting in any case in which he is a respondent. Commission may employ secretary, and may hire special counsel for specific cases, or call upon Attorney General to furnish counsel. Effective January 1, 1973, provided proposed supporting Constitutional amendment (H 86) (S 61) is adopted.

H 88 Retirement of judges-Const. (Iden. S 63)
Introducers: Short and others

CONSTITUTION
Sent to COURTS

"To amend the Constitution of North Carolina as amended effective July 1, 1971, to require the General Assembly to prescribe maximum age limits for service as a justice or judge." Adds to Article IV, Section 8 requirement that General Assembly shall prescribe maximum age limits for service as justice or judge. Prescribes form of ballot, and for submission to voters in general election of November, 1972; if approved, effective January 1, 1973.

H 89 Retirement of judges-stat. (Iden. S 64)
Introducers: Short and others

GS 7A, CONSTITUTION
Sent to COURTS

"To prescribe maximum age limits for service as a Justice or Judge of the General Court of Justice." Adds new Article IB "Age Limits for Service as Justice or Judge" to GS Ch 7A, providing that no justice or judge of the Appellate Division of the General Court of Justice may continue in office beyond the last day of the month in which he attains his 72nd birthday, and no judge of the superior or district court divisions may continue in office beyond the last day of the month in which he attains his seventieth birthday, except that "any justice or judge in office on the effective date of this Act who has attained

the age prescribed in this Section for mandatory retirement may continue to serve for the remainder of the term for which he was selected". Inapplicable to emergency justices or judges. Repeals GS 7A-39.2(c) (age 75 retirement for Supreme Court justices) and GS 7A-51(d) (age 70 retirement for superior court judges). Effective January 1, 1973 provided supporting constitutional amendment (S 63, H 88) is adopted.

H 91 Indecent exposure act
Introducers: Wynne and others

GS 14
Sent to JUDIC 2

"Prohibiting indecent exposure." Identical with S 52, digested in Bulletin No. 9, at p. 54.

H 92 Diagnostic lab-county funds
Introducer: Stevens

GS 153
Sent to FINANCE

"To authorize certain counties to appropriate non-tax funds for the Western Regional Diagnostic Laboratory." As title indicates, permits boards of county commissioners in named counties to appropriate non-tax funds for use of Western Regional Diagnostic Laboratory, in amount determined by each board. Applies to Avery, Buncombe, Burke, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania and Yancey counties.

H 93 Secure loads on trucks
Introducer: Fenner

GS 20
Sent to HY SAFTY

"To amend G.S. 20-116(g) relating to the manner in which vehicles may be loaded to adequately protect the traveling public against dropping, sifting, blowing, leaking or otherwise escaping loads." Rewrites GS 20-116(g) to provide that no truck or other vehicle when loaded with sand, rock, or other substance that could blow, leak, sift, or drop, shall be driven or moved on the highway unless covered by a suitable covering or otherwise constructed or loaded to prevent blowing, leaking, etc. (Clarifies present language.) Dropping sand for traction and water or other substance for cleaning of roadway exempted. (Substantially unchanged.) No vehicle in violation of statute if peak of its load does not extend above top of walls of its body and the height of load against all 4 walls does not extend above a horizontal line 12 inches below their tops (new).

H 95 Eminent domain jury trials
Introducer: Barbee

GS 40
Sent to JUDIC 1

"To allow jury trials in public works eminent domain cases." Adds additional paragraph to GS 40-33 providing either party may demand a jury in condemnation proceedings tried before superior court judge. Effective upon ratification; applies to all trials commenced after that date pursuant to GS 40-33.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 90 County acct. as treas.
Introducer: Gentry

STOKES
Sent to LOC GOVT

"To impose the duties of county treasurer upon the county accountant and to relieve the sheriff of said duties." As title indicates, relieves sheriff of duties of county treasurer and transfers those duties to county accountant. Requires sheriff to deliver all books, etc. held accounts, as treasurer to county accountant. Requires county accountant to post additional bond to include liabilities as treasurer. Repeals SL 1949, Ch. 646, § 3 which authorizes abolition of treasurer and appointment of bank as financial agent.

H 94 Hickory firemen's retirement
Introducers: Beard and Warlick

CATAWBA
Sent to LOC GOVT

"To provide a supplemental retirement fund for firemen in the City of Hickory and to modify the application of GS 118-5, 118-6 and 118-7 to the City of Hickory." As title indicates, creates supplemental retirement fund for Hickory firemen, to be administered as separate retirement fund. Directs transfer of certain funds from existing retirement fund to supplemental fund. Itemizes retirement and disability benefits under supplemental fund, and spells out management details.

SENATE AND HOUSE

CALENDAR ACTION

JAN. 27, 1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 25 UNMARKED STATE VEHICLES. H-REC FROM SENATE; H-REF TO COM ON JUDIC 1.
S. 46 COUNCIL OF STATE QUORUM. S-REPTD FAV.
S. 54 (J.RES.) HONORING GUILFORD. H-REC FROM SENATE; H-REF TO COM ON RULES.
H. 21 TRUSTEE VALIDATION. H-REPTD FAV.
H. 41 (J.RES.) VIET NAM PRISONERS OF WAR. S-PASSED 2ND & 3RD READING.

LOCAL BILLS

- H. 30 (WAYNE) DOG LAW EXEMPTION. H-PASSED 2ND & 3RD READING.

Next sessions of Senate and House: 12 noon, Thursday, January 28, 1971.

The following changes were made in House Committee appointments, January 27, 1971:

1. Delete Rep. Mayfield from Health Committee and add to Committee on State Legislative Redistricting.
2. Delete Rep. Kincaid from Military and Veterans' Affairs Committee and add to Committee on State Legislative Redistricting.
3. Add Rep. Everett to Committee on State Personnel.

DAILY BULLETIN

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BULLETIN NO. 12

-73-

THURSDAY, JANUARY 28, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 69 Fleeing apprehension-80 mph.
Introducer: Flaherty

GS 20
Sent to HY SAFTY

"To amend GS 20-141 to create a felony-level penalty for fleeing apprehension in excess of eighty miles per hour." Adds new GS 20-141(k) providing any person fleeing law enforcement officer to evade apprehension shall be guilty of felony punishable by fine, imprisonment up to 10 years, or both. Presumes registered owner of vehicle was operating it at the time violation committed.

S 70 Accident reports; filing time
Introducer: Flaherty

GS 20
Sent to JUDIC 1

"To amend G.S. 20-166.1(b) to allow five days to submit a written accident report to the Department of Motor Vehicles." Provides driver of any vehicle involved in a collision resulting in injury to or death of any person or apparent \$100 or more total property damage shall within 5 days (has been 24 hours) after collision forward written report of collision to Department.

S 72 Day-care facilities-2 (Iden. H 100)
Introducers: McLendon and others

GS 110
Sent to JUDIC 2

"To protect children through licensing of day-care facilities and other limited regulation." Identical with H 100 digested in the House section of today's bulletin.

S 73 Advisory Budget Comm'n membership (Iden. H 101)
Introducers: Bagnal and Kirk

GS 143
Sent to ST GOVT

"To increase the membership of the Advisory Budget Commission so as to give representation to the minority political party." Identical with H 101 digested in the House section of today's bulletin.

S 74 Tuition aid-medical students (Iden. H 96)
Introducers: Kirby and others

APPROPRIATION, GS 116
Sent to HIGHR ED

"To continue financial assistance for the education of North Carolinians at the medical schools of Duke University and Wake Forest University." Identical with H 96 digested in the House section of today's bulletin.

S 75 Testamentary gifts to minors (Iden. H 97)
Introducers: Kirby and Strickland

GS 33
Sent to JUDIC 2

"To amend the Uniform Gifts to Minors Act to provide for such gifts by will."



Identical with H 97 digested in the House section of today's bulletin.

S 76 School sewer easements
Introducer: Rauch

GS 40
Sent to JUDIC 1

"To amend G.S. 40-2(5) to authorize certain school authorities to exercise the right of eminent domain in order to provide adequate sewage systems for schools." Amends cited section to authorize governing authorities of various public and private educational institutions at higher education and public school levels to exercise the power of eminent domain in order to obtain a pure and adequate water supply (as now) and for a "sewage system, or other such appropriate easements as may be necessary for proper development of such school, college or university." (Adds quoted words).

HOUSE

H 96 Tuition aid-medical students
Introducer: Martin

APPROPRIATION, GS 116
Sent to APPROPN

"To continue financial assistance for the education of North Carolinians at the medical schools of Duke University and Wake Forest University." Appropriates to Board of Higher Education from General Fund \$631,450 for fiscal year 1971-72 and \$872,350 for fiscal year 1972-73, funds to be used for education of students at the two medical schools. Disbursement to extent of fund to be made in amount of \$3,650 for each student, \$1,000 of this to be credited to annual tuition of student; disbursements to be on certification of numbers of NC residents enrolled as 1st-3rd year students 11/1/71, and as 1st-4th year students 11/1/72. Fiscal 1971-72 funds not expended available for expenditure in fiscal 1972-73. Instructs Board of Higher Education to determine which students are residents of North Carolina, to insure funds are used directly for instruction in medical programs, to encourage schools to orient students toward personal health care in North Carolina, and to make any other rules or regulations it deems necessary in carrying out purposes of act. Effective July 1, 1971.

H 97 Testamentary gifts to minors
Introducer: Whichard

GS 33
Sent to JUDIC 1

"To amend the Uniform Gifts to Minors Act to provide for such gifts by will." Adds new GS 33-69.1 to authorize gift by will of a security, money, or life insurance to a person who is a minor at time will takes effect (new GS 33-69.1 to follow GS 33-69, which provides only for inter vivos gifts to minors). Will must express intent of donor to make gift to designated minor pursuant to North Carolina Uniform Gifts to Minors Act and must, by appropriate reference, incorporate provisions of act existing at time of signing of will by donor. Provides for designation of proper custodian in will and appointment of successor custodian where necessary. Fair market value of gift not to exceed \$10,000. For intended gift of greater than \$10,000 value, gift takes effect with respect to so much as does not exceed \$10,000 per donee, with excess value to pass to donee subject to relevant provisions of will and NC law pertaining to guardianship. Attempted gift to donee not a minor shall be effective in full amount, whether or not value exceeds \$10,000 per donee. Provides instructions and forms for transfer of gift by personal representative of donor's estate to custodian or successor custodian. Neither failure of representative to comply with terms of transfer, nor designation of ineligible person nor renunciation by designee to affect consummation of gift; performance of personal representative as to delivery of gift to acquit him of further responsibility. One will may make any number of gifts to minors, but any one gift may be made to only one minor and only one person may be custodian of that gift. Custodian or successor custodian

not to be deemed testamentary trustee, but shall administer custodial property pursuant to provisions of GS 33 Article 12. Effective October 1, 1971.

H 98 Tax exemption-water companies
Introducers: R.L. Brown, and Hardison

GS 105
Sent to FINANCE

"To exempt real and personal property of non-profit water associations from ad valorem taxation." As title indicates, adds new subsections GS 105-296(15) and (19) exempting non-profit water associations or corporations from real and personal property taxation, respectively. Effective Jan. 1, 1972.

H99 Mixed drinks-on premises
Introducer: DeBruhl and others

GS 18
Sent to ABC

"To amend Chapter 18 of the General Statutes to establish a system of control of the consumption of alcoholic beverages through licensing of on-premises sale thereof." Creates new Article 14 of GS Ch 18, entitled "Mixed Beverages". Authorizes State Board of Alcoholic Control to grant Mixed Beverage License in those local governmental units coming under Act to persons operating restaurants with seating capacity of at least 50 and with gross receipts from sale of full meals prepared and served on premises (plus non-alcoholic beverages) that exceed (after license issued) its gross receipt from sale of alcoholic beverages. Authorizes licensee to serve mixed beverages in rooms of such restaurants; in rooms of hotel or motel with not less than 40 permanent bedrooms, if restaurant located on premises of hotel/motel and if food and beverage service customarily provided in private rooms of same; on premises of private clubs serving members and authorized guests, if restaurant located on such premises; and at auditoriums and convention centers. Only restaurants with Grade A ratings by State Board of Health eligible for license, and such license to be automatically suspended when any licensed restaurant loses Grade A rating for 60 consecutive days.

Defines following terms: (1) "Store" is any ABC store; (2) "alcoholic beverages" are any beverages containing alcohol (including "mixed beverages") and subject to provisions of GS Ch 18; (3) "club" is a corporation or association organized and operated for social, recreational, patriotic or fraternal purposes and which maintains and operates dining room for sale of full meals prepared on premises to club members and authorized guests, and contains at least 50 seats; (4) "mixed beverages" are drinks composed in whole or part of alcoholic beverages with alcoholic content of more than 14% volume and served in quantity less than that contained in closed package purchased for consumption on premises under this Article; (5) "restaurant" is any establishment with regularly operated dining room with at least 50 seats for sale to customers of full meals prepared and served on premises; includes "clubs"; (6) "voting unit" is any county, city, town, township, or two or more townships each contiguous to at least another; (7) "convention center" is any structure generally used for meetings and conventions; and (8) "auditorium" is an auditorium owned and operated by a municipal corporation or other governmental unit.

Authorizes State ABC Board to adopt implementing rules and regulations. Extends right to serve mixed beverages to all regularly employed persons of licensee and makes licensee liable for violations of Act or regulations committed by such employees on premises. Permits mixed beverages to be sold only between hours of 12 noon and 12 midnight. Requires licensees to keep records on sale of alcoholic beverages and other items as Board prescribes, open to Board's inspection at all times, and requires licensees to file with Board within 60 days of close of licensees' fiscal year an audit accounting for sale of food and non-alcoholic beverages and for sale of alcoholic beverages and mixed drinks. Requires Board to annually review by auditor each licensed establishment to determine that gross receipts of alcoholic beverages are less than for non-alcoholic beverages and full meals; if not less, then license to be revoked and no new license to be granted for such establishment for at least one year. (For this purpose, non-alcoholic beverages not to include mixers served with alcoholic beverages.) Authorizes Board to refuse to grant, or revoke or suspend licenses for violations of Act or regulations.

Prohibits licensees to do as follows: serve unauthorized alcoholic beverages; serve unauthorized persons or in unauthorized places; allow consumption at licensed place in violation of Article; keep at licensed place unauthorized alcoholic beverages; misrepresent brands of alcoholic beverages sold, keep such beverages in non-original containers, fill or re-fill such containers, dilute or otherwise tamper with contents of such containers; serve purchasers different brand of alcoholic beverage than ordered without notice; knowingly remove or obliterate label, mark or stamp on any container offered for sale, or deliver or sell contents of any such container; employ persons under 21 years old to serve mixed beverages; serve mixed beverages to persons under 21 years old; knowingly allow "immoral, lewd, obscene, indecent or profane" conduct, language, literature, pictures or materials on premises; consume or allow employees serving mixed beverages to consume such beverages while on duty; deliver to consumer original bottle of alcoholic beverage purchased under license; be intoxicated while on duty or employ intoxicated persons on premises; conceal any sale or consumption of alcoholic beverages; fail or refuse to make samples of alcoholic beverages available to Board on request or obstruct agents of Board in discharging duties; store alcoholic beverages in unauthorized place or remove same from premises; knowingly employ persons reputed to be a "prostitute, homosexual, panderer, gambler, habitual law violator, person of ill repute, user of or peddler of narcotics, person who drinks to excess, or any 'B-girl'"; keep on premises prohibited gambling or gaming devices; advertise sale of alcoholic beverages on or off premises except as Board permits.

Requires all alcoholic beverages sold under Act to be purchased from store located in local unit where premises located, or from county store if sale of mixed beverages authorized in entire county and premises outside municipal limits. Requires such purchases to be in fifth, quart, or half-gallon sizes, with special sticker affixed to each container. Gives licensee right to transport containers from store to place of business.

Restricts sale of mixed beverages to local units which have or shall have ABC stores. Further restricts such sale to local units which have election as follows: Authorizes board of elections of local unit, or if no such board, governing body to call election upon receipt of petition signed by 15% of registered voters in voting unit who voted in last gubernatorial election. Provides that, upon receipt of petition, board of election or governing body to call special election in voting unit, giving 20 days notice prior to opening registration books, with books remaining open for same period as for regular election; new voter registration not required. Provides that qualified voters to vote on question of permitting sale of mixed alcoholic beverages in voting unit for consumption on premises. Provides that if majority of votes favor allowing sale, Act thereafter applicable to voting unit and if majority of votes not in favor, Act not applicable. If voting unit which first allows sale of mixed beverages later has majority vote against same, Board shall revoke all licenses under Act within 90 days after declaration of results; if any voting unit later ceases to operate ABC stores, Board to revoke all licenses within such unit within 90 days, unless after cessation of ABC store operation voting unit continues to be located in larger voting unit still operating stores. Prohibits holding of election on day or within 60 days of any biennial election of county or municipal officers and requires board of election or governing body to set election date. Prohibits calling of election within three years after last such election in voting unit. Provides that establishments in areas annexed to voting units which have adopted Act shall be subject to its provisions without further election. Makes ineligible to participate in election any local unit not employing at least one full time enforcement officer.

Prohibits establishments with "brown-bagging" permits (GS 18-51) from obtaining license under Act. Provides that every licensed establishment shall be subject to inspection by enforcement officers of State and local ABC Boards, who shall report to State Board any violations (or apparent violations) of Act and regulations thereunder. Makes violations of Act and regulations thereunder

a misdemeanor, punishable by fine, imprisonment, or both in court's discretion. Authorizes court, upon convicting licensee of such violations, to immediately revoke license and so notify Board, and forbids licensing of such person for 3 years from conviction date.

H 100 Day-care facilities-2
Introducer: Harkins and others

GS 110, 105
Sent to JUDIC 2

"To protect children through licensing of day-care facilities and other limited regulation." Adds new Art. 7, "Day-Care Facilities", to GS Ch 110. Creates Day-Care Licensing Committee, composed of eleven members--five designated state officials or representatives (Comm'rs of Insurance, Mental Health, and Social Services, State Health Director and State Supt. of Public Instruction), and six citizens, three of whom must be active operators for profit of day-care facilities and one of whom must be associated with a community sponsored facility, appointed by Governor for staggered six-year terms. Powers provided for Committee: (1) to provide for issuance of licenses to day-care facilities, (2) to coordinate and encourage St. Bd. of Health and other cooperating agencies to develop higher standards for voluntary compliance by day-care facilities, and a system of ratings to designate those facilities complying, (3) to develop a system of registration for day-care facilities not subject to licensing, (4) to appoint Co-ordinator, (5) to provide for application, approval, renewal and revocation of licenses and of provisional licenses and waiver of provisional license standards in appropriate instances, and (6) to serve as administrative appeal body for issues related to licenses. Provides for Co-ordinator, appointed by Committee, with following duties: (1) to administer licensing program, including obtaining necessary services from other state departments and agencies and local government units, employing personnel, issuing and revoking licenses, and reporting to Committee concerning failure to meet standards; (2) to prosecute or defend, for State, legal actions arising out of this Article; and (3) to promote educational programs for day-care operators and prospective users of facilities.

Requires operators of facilities which provide for care for more than five children, each under thirteen years of age, for more than four hours on a regular basis and for pay, to procure an annual license from the Committee. (Specifically exempts public schools, accredited non-public schools, full-time residence boarding schools and summer camps, summer day camps and Bible schools, and programs providing care for less than four hours daily.) Requires operator to demonstrate that facility meets minimum statutory standards. Standards are: (1) requires compliance with minimum health and sanitation standards to be developed by State Board of Health in consultation with the Committee, a medical examination and immunization meeting the requirements of GS Ch 130, Arts. 9 and 9A for each child (except where there are religious objections) prior to admission to the facility, a plan of emergency medical care, and separate beds, mats or cots for each child for rest periods; (2) requires that each facility must provide a lunch, snacks, rest periods, and if weather permits, two hours a day outdoors for each child; (3) permits no more than 25 children in any day-care group but facility with more than 25 shall be divided into separate groups with own supervisory personnel; (4) requires that facilities must be located in areas not hazardous to the physical or moral welfare of the children, and in a building meeting requirements developed specifically for such facilities by the North Carolina Building Code Council and approved by the Committee; (5) requires quarterly fire drills and annual inspection by local fire department, using standards developed by State Insurance Department and approved by the Committee; (6) requires minimum floor space, air space and outdoor play area per child; (7) requires minimum staff-child ratio, depending on ages of children; (8) provides age and character requirements for staff members; and (9) requires records to be kept. Specifies duties of cooperating State and local government agencies. Provides that license to be revoked if facility falls below statutory standards, and rating to be lowered if falls below higher standards promulgated by Committee. Provides for administrative review by Committee if license revoked or rating

lowered; action of Committee final on review of grade or rating; judicial review of action of Committee reviewing issuance or revocation of license. Provides for gradual implementation of Article through registration of present operators until statutory requirements for license met. Provides that any operator not procuring and displaying license, or not furnishing copy of this law to parents of children attending facility as required by Article, is guilty of misdemeanor. Provides that any facility not caring for more than five children or for children for less than four hours a day need not obtain license but must register with Committee.

Adds new GS 105-60 providing that day-care facilities required to procure license must pay privilege license tax of \$2.00 for each child for which it is licensed. Effective date Jan. 1, 1972.

H 101 Advisory Budget Comm'n membership
Introducers: Taylor and others

GS 143
Sent to RULES

"To increase the membership of the Advisory Budget Commission so as to give representation to the minority political party." Rewrites first paragraph of GS 143-4 to add to Comm'n one member of House and one member of Senate to be appointed by minority leaders of House and Senate, respectively (Comm'n now consists of Chairmen of Senate and House Appropriations and Finance Committees plus two Governor's appointees). Rewrites third paragraph of GS 143-4 to provide vacancy of Comm'n member appointed by minority leader of House or Senate shall be filled by Governor upon recommendation of minority leader of branch of General Assembly from which member was appointed. Effective July 1, 1971.

H 102 Housing Authority boundaries
Introducer: Arnold

GS 157
Sent to JUDIC 2

"To allow Housing Authorities to change their boundaries without holders of outstanding bonds or notes." Amends GS 157-39.3 to delete requirement that housing authorities must obtain consent of bond and note holders before decreasing boundaries.

H 103 Tax refunds-sewerage districts
Introducers: Webster and McMichael

GS 105
Sent to FINANCE

"To provide for sales tax refunds to metropolitan sewerage districts." Identical with S 65, digested in Bulletin No. 11, p. 64.

H 104 Cigarette tax increase
Introducer J. C. Johnson

GS 105
Sent to FINANCE

"To amend the Cigarette Tax Act by increasing the tax upon cigarettes." Amends GS 105-113.5 to increase cigarette tax from 1 mill to 2 1/2 mills per cigarette. Effective July 1, 1971

H 105 Grand jury-no jail inspections
Introducers: Short and others

GS 9
Sent to JUDIC 1

"To amend GS 9-26 to remove the requirement that grand juries inspect jails." As title indicates, rewrites GS 9-26, first sentence, to eliminate requirement that grand juries inspect county jail. Also deletes requirement that grand juries report concerning conditions of inmates and prisoners confined not only in jail but also in home for aged and infirm and in workhouse.

H 106 Validating clerks' certificates
Introducer: Stevens

GS 106
Sent to JUDIC 2

"To validate clerks' and registers of deeds' certificates failing to pass on all prior certificates before January 1, 1971." Rewrites GS 47-48 to add registers of deeds to class of court officials whose certificates of instruments admitted to probate or to recordation (under new bill, recordation is added) are declared valid. Provisions apply retroactively to all instruments recorded Jan. 1, 1971. Act effective upon ratification but not to affect pending litigation.

H 107 Lawful artificial insemination
Introducer: Warlick

GS 49A
Sent to JUDIC 1

"To protect the rights of children conceived by artificial insemination."
Adds new GS Ch 49A providing that any child born as result of heterologous artificial insemination shall be in law considered the same as naturally conceived legitimate child of husband and wife requesting and consenting to use of technique.

LOCAL BILLS INTRODUCED

SENATE

S 71 Carbon City incorporation
Introducer: Flaherty

BURKE
Sent to LOC GOVT

"To authorize an election on the question of incorporating the Town of Carbon City in Burke County." As title indicates. Spells out procedure for special election to be conducted by Burke County Board of Elections on June 1, 1971. Sets forth provisions of Carbon City Charter, in the event results of election are favorable to incorporation, including corporate boundaries; provisions for mayor, five comm'rs, attorney, accountant, clerk, and tax collector; election and financial procedures; and claims against the town. Authorizes Carbon City to merge with Morganton or Glen Alpine pursuant to special election provided for by Act.

S 77 Bessemer City elections
Introducers: Rauch and Harris

GASTON
Sent to LOC GOVT

"To amend the Charter of Bessemer City relating to elections." As title indicates, amends Ch 828, SL 1967, to make following changes in charter: (1) city council and mayor to continue in office until third Monday in May, 1971, rather than first Monday in July, 1967; (2) requires meeting of newly elected mayor and council on third Monday in May, 1971, rather than first Monday in July, 1967; (3) date of election of mayor, councilmen, and other elected officials second Monday in May, 1971, rather than last Monday in June, 1967.

HOUSE

None

SENATE AND HOUSE

CALENDAR ACTION

JAN. 28, 1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 6 WOUND REPORTS BY HOSPITALS. S-REP FAV COM SUB AS AMEND; S-COM SUBSTITUTE ADOPTED.
S. 16 FAMILY PURPOSE BOATS. S-REPTD FAV AS AMENDED.
S. 46 COUNCIL OF STATE QUORUM. S-PASSED 2ND & 3RD READING.
S. 49 SERVICE OF PROCESS ON SHERIFF. S-REPTD FAV.
S. 56 INSUR. COMM'R-PROCESS AGENT. S-REPTD FAV.

H. 21 TRUSTEE VALIDATION. H-PASSED 2ND & 3RD READING.
#H. 41 (J.RES.) VIET NAM PRISONERS OF WAR. RATIFIED RES. 8.
H. 61 DAMAGES-UNLAWFUL TIMBER CUTTING. H-REPTD FAV AS AMENDED.
H. 76 GEN. STAT. COMM'N MEMBERSHIP. H-REPTD FAV.

LOCAL BILLS

- H. 30 (WAYNE) DOG LAW EXEMPTION. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
H. 70 (WILSON) WILSON MAPPED STREETS. H-REPTD FAV.

Next sessions of Senate and House: 10:00 a.m., Friday, January 29, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 14

-89-

February 1, 1971

Note: The Senate convened at 9:30 a.m. and the House at 10:00 a.m. on Saturday, January 30, 1971, for consideration of local bills only.

PUBLIC BILLS INTRODUCED

SENATE

None

HOUSE

H 115 Great Seal of the State
Introducers: Arnold and others

GS 147
Sent to ST GOVT

"To provide a standard for the Great Seal of the State of North Carolina."
Adds to GS 147-26 provision directing Governor to procure seal for State to be designed with representation of the figures Liberty and Plenty in foreground, and with mountains, an ocean and a three-masted ship in background, and with the phrases "May 20, 1775," "esse quam videri," and "THE GREAT SEAL OF THE STATE OF NORTH CAROLINA" inscribed on it. Seal to be two and one-quarter inches in diameter. Effective January 1, 1972.

H 116 Navigable waters trash
Introducer: Bryan

GS 76, 143
Sent to JUDIC 2

"To establish a prima facie rule and a more severe punishment for deposit of trash in navigable waters." Adds to GS 76-40(a) provision that whenever trash is dropped into navigable waters from a boat licensed in NC, proof of ownership of the boat and proof that owner was present at time of the violation shall constitute prima facie evidence that owner is guilty of violation, and his license for boat operation shall be automatically suspended for 6 months upon a finding of the violation.

H 117 Oil-Gas Act trigger
Introducer: Bryan

GS 113
Sent to CONS&DEV

"To activate the Oil and Gas Conservation Act of 1945, and to empower the Petroleum Division of the Department of Conservation and Development to adopt reasonable rules and regulations for environmental protection in connection with the drilling and operation of oil wells." As title indicates, (a) repeals GS 113-382 (which repeal has the effect of activating the Oil and Gas Conservation Act of 1945, by removing the requirement that oil or gas be discovered "in commercial quantities" before the Act is activated); and (b) amends GS 113-382 and 113-391 to expressly provide that Petroleum Division of C & D



may adopt regulations governing oil and gas well location, drilling and operation to protect the quality of any environmental resource (including water, air or soil) against damage or impairment, and if necessary for protection of unique environmental values to prohibit particular well locations.

H 118 Detergents nutrient control
Introducer: Bryan

GS 143
Sent to WATER

"To control the nutrient content of detergents." Adds new subsection (13) to GS 143-215.3(a), giving Board of Water and Air Resources power to adopt regulations limiting phosphate, nitrate and other plant nutrient content of detergents used in state, with aim of eventual total elimination of nutrient content. Requires Board to take into account availability, cost, efficiency, and possible environmental effects of detergents with reduced nutrient content. Authorizes Board to ban detergents with excessive nutrient content by adoption of regulation effective on date set in regulation, giving Board power to require manufacturer, seller or distributor of detergent to provide analysis of contents and to conduct tests to determine environmental effects.

H 119 New industry environmental impact
Introducer: Bryan

GS 143, 113
Sent to WATER

"To provide for investigation of environmental impact of proposed new industry." Adds to GS 143-215.3 provision that when Division of Commerce and Industry makes contact with industry indicating intent to locate in NC, it shall inform Board of Water and Air Resources of name, address, and nature of industry and any further information concerning the industry which it has and the Board desires. Board is to investigate the industry to determine its impact on environment, ecology, and natural resources of State; industry is required to furnish any information on request that Board deems necessary to its investigation. Board authorized to consult with local, state, and federal agencies in making investigation. Upon completion of investigation, Board to issue report containing its findings concerning industry's impact on environment, conclusions concerning acceptability of industry, and conditions if any that industry should meet to reduce its impact on environment. Board shall send copy of its report to Governor, Commerce and Industry Division, and the industry investigated, and shall make copies available to public.

H 120 School lunch appropriation
Introducers: Haynes and others

APPROPRIATION
Sent to APPROPN

"To make an appropriation in aid of the school food service program and to provide a better school lunch program for the children of the public schools." As title indicates, appropriates \$2,400,000 from General Fund to State Board of Education for 1971-73 for school lunch program.

H 121 New election tie-breaker
Introducer: Beatty

GS 120, 163
Sent to RULES

"To provide that a tie vote for members of the General Assembly shall be broken by a special election." Amends GS 163-191 to provide that in cases

of tie vote in general election for State, national, or district offices, the State Board of Elections shall order a new election to be held within 10 days for purpose of breaking the tie (now, tie broken by joint ballot of both houses of General Assembly). Effective July 1, 1971.

H 122 No bond-antique cars

GS 20

Introducer: James C. Johnson, Jr.

Sent to HY SAFTY

"To amend G.S. 20-76(b) to remove the bond requirement contained therein for the titling of antique motor vehicles 25 years old or older."
As title indicates.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 123 Haw R. San. Dist. land sale

ALAMANCE

Introducers: Long and Harris

Sent to JUDIC 1

"To enable the Haw River Sanitary District to make a private sale of one particularly described parcel of real property." Empowers Haw River Sanitary District by private sale to convey with full covenants to Cone Mills Corporation parcel of land adjoining the district and corporation lands, land to be used by corporation to erect additional sewage treatment plant.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 49 Service of process on sheriff (digested in Bulletin No. 9, p. 53)

Amendment adopted in Senate 2/1/71 alters phraseology in two places, replacing "clerk of the issuing court" with "clerk of the court of that county."

HOUSE BILLS

None

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SENATE AND HOUSE

CALENDAR ACTION

FEB. 1, 1971

- NOTES:
1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
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PUBLIC BILLS

- S. 6 WOUND REPORTS BY HOSPITALS. H-REC FROM SENATE; H-REF TO COM ON JUDIC 2.
S. 16 FAMILY PURPOSE BOATS. H-REC FROM SENATE; H-REF TO COM ON JUDIC 2.
S. 49 SERVICE OF PROCESS ON SHERIFF. S-FLOOR AMEND ADOPTED; S-PASSED 2nd & 3rd READING.
S. 56 INSUR.COMM'R-PROCESS AGENT. H-REC FROM SENATE; H-REF TO COM ON JUDIC 1.
H. 76 GEN. STAT. COMM'N MEMBERSHIP. S-REC FROM HOUSE; S-REF TO COM ON ST GOVT.

LOCAL BILLS

- S. 36 (WAYNE) GOLDSBORO CHARTER CHANGES. S-REPTD FAV. AS AMENDED.
S. 38 (GREENE) COMM'R, SCHOOL BD. PAY. S-REPTD. FAV.
S. 40 (WAYNE) SEVEN SPRINGS ELECTION. S-REPTD FAV.
H. 70 (WILSON) WILSON MAPPED STREETS. H-PASSED 3rd READING.

Next sessions of Senate and House: 12 noon, Tuesday, February 2, 1971.

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DAILY BULLETIN

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BULLETIN NO. 15

-95-

TUESDAY, FEBRUARY 2, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 86 (Joint Resolution) Memorializing Forsyth
Introducer: Killian

MISC RES
Passed three readings and
sent to House

"Honoring the life and memory of William Frank Forsyth." As title indicates.

S 87 Firemen's death benefit
Introducer: McGeachy

GS 118, 118A
Sent to JUDIC 2

"To create a Firemen's Death Benefit Act." Adds new GS Ch. 118A establishing \$5,000 firemen's death benefit to be paid by Industrial Comm'n from Contingency and Emergency Fund to certain dependents of eligible firemen as defined in act. Award first to go to surviving widow; if no surviving widow, then to children; if no children, then to surviving parents of firemen killed in line of duty. Industrial Comm'n authorized to make regulations for administration of act, given subpoena power, and authorized to take testimony under oath. Comm'n determinations concerning making of awards conclusive and not subject to review and reversal except by Comm'n. Awards exempt from State and local taxation. Effective on ratification and applicable to firemen killed in line of duty on or after Jan. 1, 1971.

S 88 Firemen's pension investments
Introducer: McGeachy

GS 118
Sent to JUDIC 2

"To broaden permissible investments for North Carolina Firemen's Pension Fund." Revises GS 118-22 by adding nine new subsections which detail how the State Treasurer may invest moneys in the Firemen's Pension Fund not immediately needed for refunds or benefits. Provides for permissible investments as follows: (1) obligations of the US; (2) obligations of federal intermediate credit banks, home loan banks, land banks, banks for co-ops; (3) obligations of the State of NC; (4) general obligations of other states; (5) general obligations of NC cities, counties, and special districts; (6) obligations of US corporations with three highest ratings; (7) notes secured by mortgages on NC real estate and guaranteed as to principal and interest by an agency of the US; (8) certificates of deposit in NC banks if deposits guaranteed by FDIC; (9) shares in federal or state savings and loan associations if deposits guaranteed by Federal Savings and Loan Insurance Corp. Deletes provision of present law that interest on such investments to be credited to N.C. Firemen's Pension Fund.

S 89 Firemen's pension after 20 years
Introducer: McGeachy

GS 118
Sent to JUDIC 2

"To reduce to twenty years of service the period required for benefits under the Firemen's Pension Fund." Reduces from 30 to 20 years the service required for



receipt of firemen's pension upon retirement, by deleting in GS 118-25 all references to "thirty years" and substituting the words "twenty years."

S 90 Kindergarten appropriation
Introducer: Joyner

APPROPRIATION
Sent to APPROPN

"To appropriate funds to provide for the limited expansion of the State kindergarten program." Appropriates out of General Fund to State Board of Education, in addition to all other 1971 appropriations, \$2 mil. for each of two fiscal years (1971-72 and 1972-73), to provide expanded kindergarten program in State.

S 92 (Joint resolution) Endorsing federal revenue-
sharing (Iden. H 125)
Introducers: Horton and others

MISC RES
Sent to INTERGOV

"Endorsing the concept of federal revenue-sharing with the several states."
Identical with H 125 digested in House section of today's Bulletin.

S 93 Civil procedure revision
Introducers: Bailey and Harrington

GS 1, 7A
Sent to COURTS

"To amend various sections of General Statutes Chapter 1 (Civil Procedure) to conform to the structural and jurisdictional provisions of the General Court of Justice as set forth in Chapter 7A." References to civil practice and procedure in various sections of Chapter 1 (Civil Procedure), heretofore referring only to the superior court, are made specifically applicable to the district court, to conform to jurisdictional (7A-243) and procedural (7A-192;-193) provisions of Chapter 7A. References to the justice of the peace are eliminated, with the magistrate being substituted where proper, in accordance with his functions as defined by Chapter 7A. The word "term", with reference to holding court, is changed to "session." GS 1-387, et. seq., delegate the function of supervising the setting off of homestead and personal property exemptions to the clerk of superior court, a function heretofore performed by the justice of the peace. Obsolete sections referring to practice and procedure in inferior courts which no longer exist are repealed. GS 1-539.3, et. seq., providing for the trial of small claim actions, superseded by the jurisdictional provisions of Chapter 7A, are also repealed.

S 94 Clerk Superior Court, GS 2
Introducers: Bailey and Harrington

GS 2, 7A
Sent to COURTS

"To repeal various obsolete sections of General Statutes Chapter 2, (Clerk of Superior Court), and to revise the remaining sections and transfer them to Chapter 7A (The Judicial Department)" The various sections of Chapter 2 (Clerk of Superior Court) have been revised, combined, renumbered, and transferred to Article 12 (Clerk of Superior Court) of Chapter 7A, thereby leaving Chapter 2 a vacant chapter. This revision carries forward the basic substance of Chapter 2 with few changes except the following: The clerk is authorized by GS 7A-103(10) to allow entry of "default or judgment" which is consistent with GS 1A-1, Rule 55 and GS 1-209, a change from the language of GS 2-16(10) which authorized only entry of judgment. The clerk's power pursuant to GS 2-16(12) to compel an accounting by a justice of the peace is transferred to GS 7A-103(12) wherein references to justice of the peace are changed to magistrate. The clerk's office hours and holidays are no longer set by statute (GS 2-24), nor must any absence from office be justified to the resident superior court judge (GS 2-25); GS 7A-100 authorized the Administrative Office of the Courts to direct the clerk as to such matters. GS 2-42, defining the clerk's record keeping duties by specifically designating each type of record, docket, and index to be kept, is rewritten and renumbered GS 7A-109, to provide that each clerk shall maintain such records, files, dockets, and indexes as are prescribed by rule of the Administrative Office of the Courts.

GS 2-52 and GS 2-53 are revised, combined, and renumbered GS 7A-111, authorizing the clerk of superior court to receive and manage funds of minors or mentally incapacitated adults, without the appointment of a guardian. Funds held by debtors of such minors or incapacitated adults in sums that do not exceed \$2,000 per individual debtor, or, if the debtor be an insurance company, in sums that do not exceed \$2,000 per individual policy of insurance, are to be paid into the clerk's office. This revision establishes an informal procedure for determining the mental incapacity of an adult and also specifies the procedure the clerk must follow in making disbursements. The previous statutory maximum was \$1,000.

GS 2-54, GS 2-55, and GS 2-60 are revised, combined, and renumbered GS 7A-112 specifying the manner in which a clerk is authorized to invest moneys held by him by color of his office. The revision eliminates postal saving certificates and first mortgages, but adds savings and loan and bank deposits. The State Auditor is authorized to inspect the clerk's records to insure compliance, a duty previously performed by county officials. Noncompliance is reported to the Administrative Office of the Courts, instead of the district solicitor.

S 95 Cost-of-court changes
Introducers: Bailey and Harrington

GS 6, 7A
Sent to COURTS

"To repeal various obsolete sections of General Statutes Chapter 6 (Costs) and to revise various other sections of Chapter 6 to accord with the provisions of Chapter 7A (Judicial Department)." All sections of GS Chapter 6 (Costs) providing for fees and costs inconsistent with the uniform fee and cost provisions of Article 28 (Uniform Costs and Fees in the Trial Divisions), Chapter 7A, are repealed. Sections remaining in GS Chapter 6 deal primarily with the individual liability to one another of parties in a legal proceeding for costs assessed in the proceeding. The specific amounts of fees and costs to be assessed in any legal proceeding are now designated in GS Article 28, Chapter 7A. Minor revisions are made to various remaining sections of GS Chapter 6 to conform to the provisions of GS Chapter 7A. These changes primarily involve deletion of reference to inferior courts and justice of the peace courts, now superseded by the district court pursuant to GS Article 13, Chapter 7A and GS 7A-176.

S 96 Environmental bill of rights
Introducers: Bowles and others

CONSTITUTION
Sent to CONS&DEV

"To amend the Constitution to provide for the protection of natural resources." Adds new section 5 to Article XIV of N.C. Constitution, which section: (1) expresses policy of State to conserve and protect environment and natural resources; (2) directs General Assembly to implement policy by providing for abatement of air and water pollution and of excessive and unnecessary noise, protection of agricultural lands, wetlands, estuarine areas and shorelines, and development and regulation of water resources; (3) provides conservation and protection of natural resources by State, county or municipality is for public purpose; (4) instructs General Assembly to provide for acquisition and improvement of land and waters which because of their natural beauty, wilderness character, or geological, ecological or historical significance shall be preserved and administered for use and enjoyment of people, such properties to constitute State nature and historical preserve and not to be taken or otherwise disposed of except by law enacted by two successive regular sessions of General Assembly. Prescribes form of ballot for proposed amendments. Amendment to take effect July 1, 1973.

HOUSE

H 124 (Joint Resolution) North Carolina Ski Week
Introducer: Stevens

MISC RES
Passed three readings and
sent to Senate

"Designating February 8-14, 1971, as Ski Week in North Carolina." As title indicates.

H 125 (Joint Resolution) Endorsing federal revenue-sharing (Iden. S 92) MISC RES
Sent to RULES
Introducers: F. C. Farmer and G. Rountree

"Endorsing the concept of federal revenue-sharing with the several states."
As title indicates--for purposes of urban and rural development, education, transportation, environmental protection, job training and law enforcement.

H 126 Redefined 1st security instrument GS 24
Introducer: Stevens Sent to BANKS

"To amend G.S. 24-1.2(b) to redefine term 'first security instrument'." As title indicates, restricts definition of "first security interest" as "a mortgage or first deed of trust on real property securing a loan payable in equal installments of principal over a period of at least ten years, such installments to have been paid at least annually" to the term as it is used in the preceding sentence: "No lender or lending agent which holds or makes a loan secured by a first security instrument on real property shall make within the first year from the date of the making of the loan secured by the first security instrument a loan secured by a subordinate security instrument on the same property...."

LOCAL BILLS INTRODUCED

SENATE

S 91 Onslow junk dealers ONSLOW
Introducer: Mills Sent to LOC GOVT

"To include Onslow County under the provisions of Section 66-10 of the General Statutes relating to the records of junk dealers." Adds Onslow County to list of counties requiring junk dealers to keep records of purchases under GS 66-10 by repealing previous exemption of county.

HOUSE

None

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 37 (Joint Resolution) Criminal Code Commission (digested in Bulletin No. 7, p. 39)
Amendment adopted in Senate 2/2/71 provides that Commission is to serve only until Dec. 31, 1972 (originally, until General Assembly decided no longer necessary), and to report to AG by Jan. 1, 1973.

S 76 School sewer easements (digested in Bulletin No. 12, p. 74)
Amendment adopted in Senate 2/2/71 to delete language referring to "other such appropriate easements", thereby limiting authorization in bill to sewerage easements.

HOUSE BILLS

H 44 Out-of-state divorce process (digested in Bulletin No. 6, p. 35)
Committee Substitute adopted in House 2/2/71 makes general reference to service by registered mail "as provided in the Rules of Civil Procedure" rather than original version's specific reference to Rule 4. Eliminates Sec. 2 of original bill which made act applicable only to divorces pending after Jan. 1, 1970 and which validated all waivers of jury trial constructed from service by mail after that date.

SENATE AND HOUSE

CALENDAR ACTION

FEB.02,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 10 DAY-CARE FACILITIES. S-RECALLED FROM COM; S-RE-REF TO COM ON JUDIC 2.
S. 37 (J.RES.) CRIMINAL CODE COMMISSION. S-REPTD FAV AS AMENDED; S-COM AMEND ADOPTED.
S. 70 ACCIDENT REPORTS; FILING TIME. S-REPTD FAV.
S. 76 SCHOOL SEWER EASEMENTS. S-REPTD FAV AS AMENDED; S-COM AMEND ADOPTED.
S. 86 (J.RES.) MEMORIALIZING FORSYTH. S-PASSED 2ND & 3RD READING.
H. 23 SPEED LIMIT RESCUE SQUADS. H-REPTD FAV AS AMENDED.
H. 44 OUT-OF-STATE DIVORCE PROCESS. H-REPTD FAV COM SUBSTITUTE; H-COM SUB ADOPTED.
H. 61 DAMAGES-UNLAWFUL TIMBER CUTTING. H-REPTD FAV AS AMENDED.
H. 106 VALIDATING CLERKS' CERTIFICATES. H-REPTD FAV.
H. 124 (J.RES.) NORTH CAROLINA SKI WEEK. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON WILDLIFE.

LOCAL BILLS

- S. 36 (WAYNE) GOLDSBORO CHARTER CHANGES. S-COM AMEND ADOPTED.
S. 38 (GREENE) COMM'R, SCHOOL BD. PAY. S-PASSED 2ND & 3RD READING.
S. 40 (WAYNE) SEVEN SPRINGS ELECTION. S-PASSED 2ND & 3RD READING.
H. 68 (GUILFORD) GREENSBORO LAND DEDICATION. H-REPTD FAV.
H. 70 (WILSON) WILSON MAPPED STREETS. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

Next sessions of Senate and House: 12 noon, Wednesday, February 3, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 16

-101-

WEDNESDAY, FEBRUARY 3, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 97 Public employee strikes
Introducer: Joyner

GS 95
Sent to MFG LABR

"Prohibiting strikes by public employees." Adds GS 95-18.1 prohibiting any person who participates in a strike against the government of NC, or any political subdivision thereof, from accepting or holding employment by the state government or any city, town, county, municipality or agency thereof.

S 98 Electing district court judges
Introducer: Horton

GS 7A, 163
Sent to COURTS

"To amend G.S. 7A-140 so as to remove the election of district court judges from partisan politics." Amends GS 7A-140 to provide that each district judge shall be elected by the qualified voters of the district in which he resides in an at-large, non-partisan election held at the same time as the general elections as provided in Ch 163. Prohibits primary election to nominate district judges; candidates receiving highest number of votes, equal to the number of offices to be filled will be elected. Notice of candidacy and ballots shall not refer to party affiliation.

S 99 DMV registration records-no release (Iden. S 101) GS 20
Introducer: Deane and others

Sent to ROADS

"To prohibit the Department of Motor Vehicles from releasing vehicle registration records for commercial purposes." Adds GS 20-43(d) to prohibit officer, employee or contractor of Dept. of Motor Vehicles to release or distribute any registration record to any person for commercial purposes.

S 100 State capital police arrest power
Introducer: McGeachy

GS 129
Sent to JUDIC 2

"To amend G.S. 129-4 as it relates to the power of arrest granted to the State capital police." Rewrites subsections (6) and (7) of GS 129-4 to make the arrest power of the Director of General Services and special peace officers appointed by him equal to that of Raleigh city police and to cover all state property within the territorial jurisdiction of the Raleigh city police (arrest power now limited to violations of law in or with respect to public buildings and grounds). Deletes specific oath for Director and officers, although an oath still required.

S 101 DMV registration records-no release
(Iden. S 99)

GS 20
Sent to ROADS

Introducers: Coggins and Bailey

"To prohibit the Department of Motor Vehicles from releasing vehicle



registration records for commercial purposes." Identical with S 99 digested in this section of today's Bulletin.

S 103 State Bar fees of attorneys (Iden. H 129) GS 84
Introducer: Bailey Sent to JUDIC 1

"To amend G.S. 84-34 to provide for the annual membership fees of attorneys in the North Carolina State Bar." Identical with H 129, digested in the House section of today's Bulletin.

S 104 State Bar Council-travel expenses (Iden. H 130) GS 84
Introducer: Bailey Sent to JUDIC 1

"To amend G.S. 84-20 and G.S. 84-26 to provide for the travel expense for members of the Council of the North Carolina State Bar and the members of the Board of Law Examiners not to exceed ten cents per mile." Identical with H 130 digested in the House section of today's Bulletin.

HOUSE

H 128 Congressional districts (Iden. S 42) GS 163
Introducer: H. Rountree Sent to CONGRESS

"To divide North Carolina into eleven Congressional districts." Identical with S 42 digested in Bulletin No. 8, p. 47, and identical with present law.

H 129 State Bar fees of attorneys (Iden. S 103) GS 84
Introducer: S. H. Johnson Sent to JUDIC 1

"To amend G.S. 84-34 to provide for the annual membership fees of attorneys in the North Carolina State Bar." Amends GS 84-34 to increase State Bar's annual membership fees from \$20 to \$30 for all active members beginning with the year 1972. Provides dues for prior years to be as set in General Statutes then in effect.

H 130 State Bar Council-travel expenses (Iden. S 104) GS 84
Introducer: S. H. Johnson Sent to JUDIC 1

"To amend G.S. 84-20 and G.S. 84-26 to provide for the travel expense for members of the Council of the North Carolina State Bar and the members of the Board of Law Examiners not to exceed ten cents per mile." Amends GS 84-20 and GS 84-26 to increase the private automobile travel expense allowance for members of the NC State Bar council and members of the Board of Law Examiners from seven cents a mile to ten cents a mile.

H 131 Civil procedure revision (Iden. S 93) GS 1, 7A
Introducers: Short and others Sent to COURTS

"To amend various sections of General Statutes Chapter 1 (Civil Procedure), to conform to the structural and jurisdictional provisions of the General Court of Justice as set forth in Chapter 7A." Identical with S 93, digested in Bulletin No. 15, p. 96.

H 132 Clerk Superior Court, GS 2 (Iden. S 94) GS 2, 7A
Introducers: Short and others Sent to COURTS

"To repeal various obsolete sections of General Statutes Chapter 2, (Clerk of Superior Court), and to revise the remaining sections and transfer them to Chapter 7A

(The Judicial Department)." Identical with S 94 digested in Bulletin No. 15, p. 96.

H 133 Cost-of-court change (Iden. S 95)
Introducers: Short and others

GS 6, 7A
Sent to COURTS

"To repeal various obsolete sections of General Statutes Chapter 6 (Costs) and to revise various other sections of Chapter 6 to accord with the provisions of Chapter 7A (Judicial Department)." Identical with S 95 digested in Bulletin No. 15, p. 97.

H 134 Motor vehicles on county property
Introducer: Davis

GS 153
Sent to JUDIC 1

"To amend G.S. 153-9(54) concerning regulation and control of motor vehicles on county-owned property." Adds new paragraph to GS 153-9(54) giving boards of county commissioners power to adopt regulations for towing of vehicles parked illegally on county-owned property and for storage until fines and costs paid (current authority is to provide for parking fines only).

H 136 Seals omitted from deeds
Introducer: Whichard

GS 47
Sent to JUDIC 1

"To amend G.S. 47-51 relating to seals omitted from official deeds." Amends GS 47-51 to make it applicable to deeds executed prior to Feb. 1, 1971 (now Apr. 1, 1959). Does not apply to pending litigation.

LOCAL BILLS INTRODUCED

SENATE

S 102 Durham director of public safety
Introducers: Currie and Allen

DURHAM
Sent to JUDIC 2

"To clarify and confirm the authority of the governing body of the City of Durham to authorize the employment of a director of public safety and define his official duties and authority." As title indicates.

HOUSE

H 127 Amend Greensboro Charter
Introducer: Frye

GUILFORD
Sent to LOC GOVT

"To amend the Charter of the City of Greensboro, as revised and reorganized by Chapter 1137 of the Session Laws of 1959, and as amended; to exempt City of Greensboro from provisions of General Statutes relating to zoning petitions; and to repeal Chapter 696, Session Laws of 1969 as amended." Amends Sec. 4.35 of Greensboro Charter to grant City Manager upon approval of City Council authority to provide to auxiliary police and firemen injured in line of duty compensation in addition to regular workmen's compensation benefits. Amends Sec. 4.122 of Charter as to sale of real property of city by advertisement for bids. Amends Sec. 5.62 as set forth in Ch 1137, Session Laws of 1959, to delete reference to Board of Adjustment as being "authorized by GS 160-178." Adds new Sec. 5.65 of Charter to provide: (1) City Council may create and organize Board of Adjustment; (2) sets number of members of Board and length of terms; and (3) describes powers of Board. Amends Sec. 6.106 as to appointment of appraiser. Amends Sec. 6.144 as to improvement of property by paving of street in front of same. Amends Sec. 6.151 and Sec. 6.152 as to interest on unpaid property assessments. Approves and validates all extensions and purported

extensions of corporate limits of City and all proceedings of City Council relative to local improvements. Exempts City from provisions of GS 160-176 and 160-176.1 specifically relating to petitions of protest on zoning matters. Repeals Chs 696 and 1060 of Session Laws of 1969 as to composition and mode of election of Mayor and City Council. Effective upon ratification; except amendment to Sec. 4.35 to be applicable from and after July 1, 1970.

H 135 Dare Ed. Bd. land transfer
Introducer: Burrus

DARE
Sent to LOC GOVT

"To authorize the Dare County Board of Education to reconvey to the donor certain land." Authorizes Dare County Board of Education to reconvey without compensation to Wallace and Sue McCown certain land in the Town of Manteo originally given for a new administration building now considered unnecessary.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

None

HOUSE BILLS

H 44 Out-of-state divorce process (bill digested in Bulletin No. 6, p. 35
Committee Substitute digested in Bulletin No. 15, p. 98)
Amendment adopted in House 2/3/71 eliminates repetitive language in Sec. 1
of Committee Substitute (which was adopted in House 2/2/71).

H 61 Damages-unlawful timber cutting (digested in Bulletin No. 7, p. 42)
Amendment adopted in House 2/3/71 eliminates the recovery for cost of surveying
fees.

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 37 (J.RES.) CRIMINAL CODE COMMISSION. S-PASSED 2ND & 3RD READING.
S. 49 SERVICE OF PROCESS ON SHERIFF. H-REC FROM SENATE; H-REF TO COM ON JUDIC 2.
S. 68 DRIVER LICENSE-OLD CONVICTIONS. S-REPTD FAV.
S. 70 ACCIDENT REPORTS; FILING TIME. S-RE-REF TO COM ON JUDIC 1.
S. 76 SCHOOL SEWER EASEMENTS. S-PASSED 2ND & 3RD READING.
S. 86 (J.RES.) MEMORIALIZING FORSYTH. H-REC FROM SENATE; H-PASSED 2ND & 3RD READING.
H. 23 SPEED LIMIT RESCUE SQUADS. H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
H. 44 OUT-OF-STATE DIVORCE PROCESS. H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
H. 61 DAMAGES-UNLAWFUL TIMBER CUTTING. H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
H. 76 GEN. STAT. COMM'N MEMBERSHIP. S-REPTD FAV.
H. 106 VALIDATING CLERKS' CERTIFICATES. H-PASSED 2ND & 3RD READING.
H. 124 (J.RES.) NORTH CAROLINA SKI WEEK. S-REPTD FAV; S-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 36 (WAYNE) GOLDSBORO CHARTER CHANGES. S-PASSED 2ND READING.
S. 38 (GREENE) COMM'R, SCHOOL BD. PAY. H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.
S. 40 (WAYNE) SEVEN SPRINGS ELECTION. H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.
H. 68 (GUILFORD) GREENSBORO LAND DEDICATION. H-PASSED 2ND READING.
H. 71 (CRAVEN) FIVE DAY BANKS. H-REPTD FAV.

Next sessions of Senate and House: 12 noon, Thursday, February 4, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

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BULLETIN NO. 17

-107-

THURSDAY, FEBRUARY 4, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 105 Farm trailers-soybeans & corn
Introducer: White

GS 20
Sent to AGRICULT

"To amend G.S. 20-51(6) to allow farmers to transport corn and soybeans from farm to market upon unlicensed trailers when drawn by properly licensed vehicles." As title indicates (adds item noted in title to list of categories exempted from registration and title certificate under GS 20-51).

S 106 (Joint Resolution) Consumer Credit Code study
Introducer: Larkins

STUDY, MISC RES
Sent to MFG LABR

"To continue the committee to study the Uniform Consumer Credit Code." As title indicates, continues committee until 1973 General Assembly.

S 107 Liquor law revision (Iden. H 138)
Introducer: Reed

GS 14, 15, 18, 18A, 3, 163
Sent to ABC

"To rewrite General Statutes Chapter 18, rewrite and transfer to Chapter 105 the revenue statutes formerly in Chapter 18 and to repeal certain inconsistent sections." Completely rewrites GS Chapter 18 (Liquor Law) making the following changes of substance: (1) Defines "spirituous liquors" as an alcoholic beverage with alcoholic content of more than 21% (now, more than 24%); and fortified wine as wine having alcoholic content of over 14% and not more than 21% (now, over 14% with no upper limit). The term "sweet wine" has been eliminated. (2) Raises presumptive limit on wine from one gallon to five gallons, and on malt beverages from five gallons (or fifteen and one half gallons of draft malt beverages) to twenty gallons. (3) Permits A.B.C. stores to remain open on Armistice Day and election days, and until 11:45 p.m. (now, stores must remain closed on Armistice and election days and must close by 9:00 p.m.). (4) Provides that search warrants shall be obtained as provided in Article 4 of GS Chapter 15 (now, must be obtained under special provision contained in GS 18-13). (5) Provides that alcoholic beverages may not be sold to any person in a quantity in excess of what he can legally transport (now, there is no statutory limitation). (6) Permits malt beverages and wine to be sold until 1:00 a.m. (now, 11:45 p.m.) and to be consumed on the licensed premises until 1:30 a.m. (now, 12:00 midnight). (7) Provides that municipalities and counties shall have no authority to prohibit Sunday sales of beer and wine by establishments having a brown-bag permit (now, all Sunday sales of beer and wine can be prohibited by local authorities). (8) Prohibits retailers from selling any one person more than twenty gallons of malt beverages, other than in kegs (now, no statutory limit on the amount that can be sold). (9) Provides for the State A.B.C. Board to issue temporary malt beverage and wine permits (now, temporary permits are for brown-bag establishments only). (10) Prohibits military bases from purchasing malt beverages from an out-of-State wholesaler. (11) Grants authority to



State A.B.C. Board to set standards for wine; and gives Board authority to require a verified statement of a laboratory analysis of malt beverages. (12) Permits beer-wine elections in municipalities having a population of five hundred or more persons (now, one thousand population required); and prescribes new form for beer-wine ballot. (13) Creates new Article 2C of GS Chapter 105 (Taxation) containing those tax provisions now found in GS Chapter 18. (14) Adds provisions requiring fortified wine dealers to pay same license taxes as now imposed on unfortified wine dealers.

Deletes the following provisions of present Chapter 18:

(1) GS 18-45 (11), which authorizes county A.B.C. boards to "prescribe regulations that may be necessary for obtaining purity in alcoholic beverages." Proposed Chapter 18 leaves this power to the State A.B.C. Board.

(2) GS 18-52 through GS 18-55, which govern the advertising of liquor. Proposed Chapter 18 turns this function over to the State A.B.C. Board for control by regulation.

(3) GS 18-90, which appropriates funds to the Revenue Department for the administration of present Article 4. Proposed Chapter 18 makes no appropriations.

(4) GS 18-116.2, which authorizes local A.B.C. Board to revoke wine permits and to limit wine sales to A.B.C. stores. Proposed Chapter 18 leaves revocations to the State A.B.C. Board.

(5) GS 18-116.4, which authorizes local A.B.C. Board to restrict the days and hours of wine sales. Proposed Chapter 18 sets hours of sale by statute.

(6) GS 18-119 through GS 18-123, which authorize the governing boards of certain counties and municipalities to prohibit wine sales. This is essentially a local act.

(7) GS 18-127.1, which authorizes elections on the question of the sale of 3.2% beer. Proposed Chapter 18 makes no distinction between 3.2% beer and other malt beverages.

(8) GS 18-127.2, which authorizes beer-wine elections in municipalities having a "seasonal population" of 1,000 or more persons.

(9) GS 18-133, which provides that the permit of any permittee shall be revoked if he procures a "federal special tax liquor stamp."

(10) GS 18-134, which requires "notice of intent" to apply for a beer or wine permit. Proposed Chapter 18 does not require this notice.

Repeals present Chapter 18 and the following additional sections for the reasons indicated:

(1) GS 14-327 and GS 14-328, relative to the adulteration of liquor, because these 1858-59 acts are not needed under the present control system.

(2) GS 14-330, relative to liquor sales near "political speakings," because this 1879 act has been completely superseded by present Chapter 18. See present GS 18-45(6) and present Article 7.

(3) GS 14-331 and GS 14-332, relative to liquor consumption by minors, because these sections have been superseded by present GS 18-90.1.

(4) GS 14-333, relative to drinking on trains, because this 1907 act has been superseded by present GS 18-2.

(5) GS 163-272, concerning liquor sales near "voting places," because this 1901 act has been superseded by present Chapter 18.

Amends GS 15-27.1 to conform this section to the new act. Effective May 1, 1972.

HOUSE

H 137 (Joint Resolution) Honoring Northwest
Association

Introducer: Marion

MISC RES

Passed three readings
and sent to Senate

"Recognizing and commemorating the Northwest North Carolina Development Association and the many individuals who have contributed to its efforts." As title indicates.

H 138 Liquor law revision (Iden. S 107)
Introducer: H. Rountree

GS 14, 15, 18, 18A, 105, 163
Sent to ABC

"To rewrite General Statutes Chapter 18, rewrite and transfer to Chapter 105 the revenue statutes formerly in Chapter 18 and to repeal certain inconsistent sections." Identical with S 107 digested in the Senate section of today's Bulletin.

H 140 GS 30-3 technical change
Introducer: R. Jones

GS 30
Sent to JUDIC 2

"To make a technical correction in G.S. 30-3(a)." Corrects reference made in GS 30-3(a) to GS 29-2(5) (now, incorrectly refers to GS 29-2(3)).

H 141 70 MPH maximum-certain highways
Introducer: R. Jones

GS 20
Sent to HY SAFTY

"To amend G.S. 20-141 increasing maximum speed limits on interstate and controlled-access highways to 70 miles per hour." Amends GS 20-141(b)(5) as to setting of highway speed limits by State Highway Comm'n, to permit setting of limit of up to 70 MPH on those roads for which Comm'n now could set maximum limit of up to 65 MPH (interstate and controlled access highways within or without cities, and any highway outside cities). Repeals GS 20-141(b1)(3) and amends GS 20-141(b1)(2) to provide minimum speed of 45 MPH for passenger cars and pick-up trucks when maximum speed for highway is 60 MPH or more (now, these two paragraphs provide specifically for minimum 45 MPH in 60 MPH and 65 MPH zones).

H 142 Speeding-reduced license penalty
Introducer: J. C. Johnson

GS 20
Sent to HY SAFTY

"To amend G.S. 20-16(a)(9) to require three convictions in excess of 60 miles per hour for the Department to revoke or suspend operator's or chauffeur's license instead of two convictions of speeding in excess of 55 miles per hour." Amends cited section to require three convictions for driving 60-75 MPH (now, three for 55-75 MPH), or one reckless driving conviction plus one or more convictions for driving 60-75 MPH (now, 55-75 MPH), as basis for suspension of license.

H 143 Plates-horseless carriage
Introducer: J. C. Johnson

GS 20
Sent to HY SAFTY

"To amend G.S. 20-81.2 to lower age of vehicle to 25 years to qualify for 'horseless carriage' registration plates." As title indicates, changes minimum qualifying age of vehicles from 35 to 25 years.

H 144 Liquor at political talks
Introducer: Twiggs

GS 14, 18
Sent to ABC

"To repeal G.S. 14-330 dealing with liquor at political talks." Repeals GS 14-330 which makes it a misdemeanor (\$10 to \$20 fine, imprisonment for up to 20 days) to sell or give away spirituous liquors within two miles of public political speaking on day of speaking.

H 145 Smokes-sales to minors
Introducer: Twiggs

GS 14
Sent to JUDIC 2

"To repeal G.S. 14-314 dealing with the sale of cigarettes to minors." As title indicates, repeals statute making it a misdemeanor to aid or assist a minor under 17 to obtain cigarettes and requiring police officers to inquire of cigarette-smoking minors under 17 concerning who furnished them the cigarette.

H 149 ABC sale-sticker
Introducer: Beard

GS 18
Sent to ABC

"To amend Chapter 18 of the General Statutes so as to require certain information to be affixed to each bottle of alcoholic beverages sold in ABC stores." Adds new GS 18-46.1 prohibiting sales at ABC stores unless each bottle has sticker attached to it giving purchase price, date of sale, name of county, and store number, and directing State ABC Board to adopt implementing regulations. Makes it a misdemeanor (punishable by fine, imprisonment or both in discretion of court) to buy or sell intoxicating beverages at ABC store without that sticker, or to remove the sticker. Effective Jan. 1, 1973.

H 150 State ABC Board reorganization
Introducers: Beard and others

GS 18
Sent to ABC

"To amend G.S. 18-37 and G.S. 18-38, relating to the State Board of Alcoholic Control." Amends GS 18-37 to provide that State ABC Board shall consist of chairman and 4 (now, 2) associate members, and that not more than 3 members of board shall be of same political party. Amends GS 18-38 to provide that chairman and members of Board shall be appointed by Governor on July 1, 1971 for 4-year terms and quadrennially thereafter (now, serve at pleasure of Governor). Terms of office of incumbent members of Board shall terminate on effective date of act, which is July 1, 1971.

LOCAL BILLS INTRODUCED

SENATE

none

HOUSE

H 139 Forest City manager election
Introducer: R. Jones

RUTHERFORD
Sent to LOC GOVT

"To authorize an election on the city manager form of government." As title indicates; specifies form of ballot and election procedure; repeals 1969 Act authorizing appointment of manager.

H 146 Repealing annexation exemption
Introducer: G. Jernigan

CUMBERLAND
Sent to LOC GOVT

"To make the 1959 annexation laws apply to Cumberland County." Makes 1959 general municipal annexation laws (GS Ch. 160, Art. 36) apply to Cumberland County. Repeals SL 1969, Ch. 1058 (local annexation law presently applicable to Cumberland County). Provides any city in Cumberland County annexing territory subsequent to ratification of act may contract with any rural fire department which at time of annexation is serving all or part of area annexed, to continue to furnish fire protection service to area annexed.

H 147 Durham director of public safety (Iden. S 102)
Introducers: Miller, Royall and Whichard

DURHAM
Sent to LOC GOVT

"To clarify and confirm the authority of the governing body of the City of Durham to authorize the employment of a director of public safety and define his official duties and authority." Identical with S 102 digested in Bulletin No. 16, p. 103.

H 148 Greensboro election law repeal
Introducer: Frye

GUILFORD
Sent to LOC GOVT

"To repeal Chapters 696 and 1060 of the Session Laws of 1969 relating to the composition and mode of election of mayor and city council of Greensboro and initiative and referendum in the City of Greensboro." Repeals 1969 Session Laws which set out procedure for adoption of optional forms of government by Greensboro through action of city council or initiative petition.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 36 Goldsboro Charter changes (digested in Bulletin No. 7, p. 43)

Amendment adopted in Senate 2/3/71 changes date of municipal primary election from "second Tuesday in April preceding the regular municipal election" to "the second Tuesday preceding the regular municipal election."

HOUSE BILLS

None

SENATE AND HOUSE

CALENDAR ACTION

FEB.04,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 25 UNMARKED STATE VEHICLES. H-REPTD FAV AS AMENDED.
S. 37 (J.RES.) CRIMINAL CODE COMMISSION. H-REC FROM SENATE; H-REF TO COM ON ST GOVT.
S. 68 DRIVER LICENSE-OLD CONVICTIONS. S-PASSED 2ND & 3RD READING.
S. 76 SCHOOL SEWER EASEMENTS. H-REC FROM SENATE; H-REF TO COM ON JUDIC 2.
#S. 86 (J.RES.) MEMORIALIZING FORSYTH. RATIFIED RES. 10.
H. 15 BLOOD DONORS-18 YR. OLD. H-REPTD FAV.
H. 23 SPEED LIMIT RESCUE SQUADS. S-REC FROM HOUSE; S-REF TO COM ON HY SAFTY.
H. 44 OUT-OF-STATE DIVORCE PROCESS. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
H. 61 DAMAGES-UNLAWFUL TIMBER CUTTING. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.
H. 76 GEN. STAT. COMM'N MEMBERSHIP. S-PASSED 2ND & 3RD READING.
H. 106 VALIDATING CLERKS' CERTIFICAT. S-REC FROM HOUSE; REF TO COM ON JUDIC 1.
#H. 124 (J.RES.) NORTH CAROLINA SKI WEEK. RATIFIED RES. 9.
H. 137 (J.RES.) HONORING NORTHWEST ASSOCIATION. H-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 36 (WAYNE) GOLDSBORO CHARTER CHANGES. S-PASSED 3RD READING.
S. 102 (DURHAM) DURHAM DIRECTOR OF PUBLIC SAFETY. S-REPTD FAV.
H. 39 (MECKLENBURG) CHARTER COMMISSION AMENDMENT. H-REPTD FAV; H-PASSED 2ND & 3RD READING.
H. 68 (GUILFORD) GREENSBORO LAND DEDICATION. H-PASSED 3RD READING.
H. 71 (CRAVEN) FIVE DAY BANKS. H-PASSED 2ND & 3RD READING.

Next sessions of Senate and House: 10:00 a.m., Friday, February 5, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

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BULLETIN NO. 18

-115-

FRIDAY, FEBRUARY 5, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 109 Tax collection discounts repeal
Introducer: Combs

GS 105
Sent to FINANCE

"To provide additional revenue to the State of North Carolina by amendment of the Revenue Act to eliminate certain discounts for collection or payment of taxes."
Repeals following provisions of GS Ch 105: GS 105-113.21 (Cigarette Tax Act) providing discount of 7/24¢ per stamp to wholesalers and distributors for handling and affixing stamps; GS 105-113.52 (Soft Drink Tax Act) providing discount of 5% of entire amount of any sale of \$50 or more of taxpaid stamps; GS 105-113.54 (Soft Drink Tax Act), first sentence, providing discount to purchaser of taxpaid crowns of 8% of excise tax; GS 105-113.56A (Soft Drink Tax Act), last sentence, second paragraph, providing discount of 8% of the tax in addition to the alternate method of payment of the tax; and GS 105-164.21 (Sales and Use Tax Act) providing discount of 3% of tax for which retailer is liable. Effective July 1, 1971.

HOUSE

H 151 (Joint Resolution) Memorializing Sutton
Introducers: Lilley and Hardison

MISC RES
Passed three readings and
sent to Senate

"Honoring the life and memory of Frederick I. Sutton, former member of the General Assembly." As title indicates.

H 152 (Joint Resolution) Memorializing Ferebee
Introducer: Patton

MISC RES
Passed three readings and
sent to Senate

"Honoring the life and memory of Percy B. Ferebee, former legislator." As title indicates.

H 153 Municipal law revision
Introducers: S. Johnson and others

GS 153, 160, 160A
Sent to LOC GOVT

"To consolidate, revise, and amend the General Statutes relating to cities and towns." Adds new GS Ch 160A, Cities and Towns, the articles of which are as follows:

- Art. 1, Definitions and Statutory Construction
- Art. 2, General Corporate Powers
- Art. 3, Contracts
- Art. 4, Corporate Limits
- Part 1, General Provisions



- Art. 5, Form of Government
 - Part 1, General Provisions
 - Part 2, Mayor and Council
 - Part 3, Organization and Procedures of the Council
 - Part 4, Modification of Form of Government
- Art. 7, Administrative Offices
 - Part 1, Organization and Reorganization of City Government
 - Part 2, Administration of Council-Manager Cities
 - Part 3, Administration of Mayor-Council Cities
 - Part 4, Personnel
 - Part 5, City Clerk
 - Part 6, City Attorney
- Art. 8, Delegation and Exercise of the General Police Power
- Art. 9, Taxation
- Art. 10, Special Assessments
- Art. 11, Eminent Domain
- Art. 12, Sale and Disposition of Property
- Art. 13, Law Enforcement
- Art. 14, Fire Protection
- Art. 15, Streets, Traffic and Parking
 - Part 1, General Regulations
- Art. 16, Public Enterprises
 - Part 1, General Provisions
 - Part 2, Joint Enterprises
 - Part 3, Electric Service in Urban Areas
- Art. 17, Cemeteries
- Art. 18, Parks and Recreation
- Art. 19, Planning and Regulation of Development
 - Part 1, General Provisions
 - Part 2, Subdivision Regulation
 - Part 3, Zoning
 - Part 4, Acquisition of Open Space
 - Part 5, Building Inspection
 - Part 6, Minimum Housing Standards
- Art. 20, Interlocal Cooperation
 - Part 1, Joint Exercise of Powers
 - Part 2, Regional Councils of Governments
- Art. 21, Miscellaneous

Repeals the following sections of present GS Ch 160: All of Subch I (Regulations Independent of Act of 1917 -- GS 160-1 through 160-191.11) except Art. 8, Public Libraries (GS 160-65 through 160-77) which is transferred to Ch 153 as new Art. 19A (to include GS 153-250.1 through 153-250.13) and Art. 12B, Rural Recreation Districts (GS 160-166.1 through 160-166.17) which is transferred to Ch 153 as new Art. 28 (to include GS 153-368 through 153-382); all of Subch II (Municipal Corporation Act of 1917 -- GS 160-192 through 160-366); all of Subch IX (Photographic Reproduction of Records -- GS 160-508 and 509); all of Subch X (Electric Service in Municipal Areas -- GS 160-510 through 160-519); all of Subch XI (Assessments Against Railroads -- GS 160-520 and 521).

Leaves in Ch 160 the following sections: all of Subch III (Municipal Finance Act -- GS 160-367 through 160-408); all of Subch IV (Fiscal Control -- GS 160-409 through 160-424.8); all of Subch V (Capital Reserve Funds -- GS 160-425 through 160-434); all of Subch VI (Extension of Corporate Limits -- GS 160-445 through 160-453.24); all of Subch VII (Urban Redevelopment -- GS 160-454 through 160-474.1); all of Subch VIII (Parking Authorities and Facilities -- GS 160-475 through 160-507).

Effective July 1, 1971.

H 154 Widower's tax exemption
Introducer: M. Smith

GS 105
Sent to FINANCE

"To amend G.S. 105-4, relating to inheritance tax exemptions, to provide that the exemptions for surviving husbands shall be the same as for surviving wives."
Amends GS 105-4(b) to grant surviving husbands same \$10,000 inheritance tax exemption presently allowed surviving wives. Effective July 1, 1971 and shall apply to estates of all persons dying on or after that date.

H 155 Nuisances-public morals
Introducer: Hunt

GS 19
Sent to JUDIC I

"Concerning nuisances." Rewrites GS 19-1 which defines nuisances for purposes of GS Ch 19 (Offenses Against Public Morals). Removes lewdness but adds acts which create a breach of peace to those acts which when carried on make a building or place a nuisance, and its owner or operator guilty of a nuisance. Adds requirement that acts must be repeated (as evidenced by three convictions for their commission) before building or place can be declared a nuisance. Does not effect other sections of General Statutes which govern abatement of nuisances.

H 156 Retail Installment Sales Act
Introducers: Clark and others

GS 25, 25A
Sent to BANKS

"To regulate installment sales and services." Adds new GS Ch 25A to provide for comprehensive regulation of retail credit sales to consumers, including farmers. Defines "consumer credit sales" as sale of goods or services by seller in which buyer is a natural person, the goods or services are purchased primarily for personal, family, household, or agricultural purposes, and either the price of goods or services is payable in installments or a finance charge is imposed. Act does not apply to purchases pursuant to credit card issued by someone other than a seller that is engaged in the business of selling goods or services. "Seller" is defined to include an assignee of the seller's right to payment, thereby eliminating holder-in-due-course status of purchasers of installment paper. Establishes following maximum limits on finance charges covered by Federal Consumer Credit Protection Act: 21% per annum where amount financed is less than \$500; 18% per annum where amount is \$500 or greater but less than \$1000; 15% per annum where amount is \$1000 or greater, but less than \$5000; and 9% per annum where amount is \$5000 or greater. Provides that where consumer credit sale contract requires finance charge in excess of that permitted, but not more than two times in excess thereof, the seller or his assignee shall not be permitted to recover any finance charge and shall be liable to the buyer in an amount that is twice the amount of any finance charge received, plus reasonable attorney's fees. If the consumer credit sale contract requires payment of a finance charge more than twice that permitted, the contract shall be void and the buyer may retain any goods delivered under the contract.

Confessions of judgment by a buyer arising out of a consumer credit sale are unauthorized and declared void. No consumer credit sale agreement may contain any provision limiting, excluding, or modifying, the terms of any express warranty made a part of the bargain between buyer and seller. No consumer credit agreement may provide for payment by the buyer of attorney's fees. A seller in a consumer credit sale may take a security interest only in the following types of collateral: (1) The property sold, (2) property previously sold to the buyer in which the seller has an existing security interest, (3) personal property to which the property sold is installed if the debt is more than \$500, and (4) real property to which the property sold is affixed if the debt is more than \$2000. A seller may not take from a buyer a negotiable instrument other than a check as evidence of the buyer's obligation; and the penalty for violating this provision is that the seller shall be liable to buyer in an amount equal to twice the finance charge imposed in the transaction. Any provision in a contract in which the buyer agrees not to assert against a seller or assignee

a claim or defense arising out of the sale shall be void.

Where the seller repossesses or voluntarily accepts surrender of goods the subject of a sale in which he has a security interest and the cash price of the goods was \$1000 or less, the buyer shall not be liable for the unpaid balance of the debt and the seller is not obligated to resell the goods. This is also true where the goods were not the subject of the sale but the seller had a security interest therein to secure a debt arising from a sale of goods or services. Where a seller makes a subsequent sale to a buyer and takes a security interest in goods previously sold, the seller shall make application of payments received as follows: All payments made prior to the subsequent purchase shall be deemed to have been applied to the previous purchases; down payment on the subsequent purchase shall be applied entirely to the subsequent purchase, and all subsequent payments shall be applied to first satisfy the amount owing on the previous purchases. A form is prescribed for consumer credit installment sale contracts and the printed portion must be in a size equal to or greater than eight-point type. Any buyer who prepays under a contract shall be entitled to refund of proportionate part of finance charge. The contract must provide for complete payment of all charges within the following time schedule from the date of sale: 25 months, if amount financed is less than \$1000; 37 months if amount is \$1000 or more but less than \$3000; 49 months if amount is \$3000 or more but less than \$5000; and 145 months if amount is more than \$5000. On sales other than those pursuant to revolving charge accounts no payment may be more than 10% larger than the average of earlier scheduled payments (prohibition of balloon payments). Where sales are made by home solicitation, the buyer is given 3 business days in which he may cancel the contract, and the contract must contain this right to cancel provision. A buyer who has not received delivery of goods and services pursuant to any consumer credit sale within 10 days from date of sale (unless the contract otherwise specifies) may rescind the contract and receive refund of all payments made. If a court finds a consumer credit sale contract or any part thereof to be unconscionable, it may refuse to enforce the agreement or the offending part thereof. Where Act conflicts with Federal Consumer Credit Protection Act (Truth in Lending Law), the federal law shall control. Effective Jan. 1, 1972.

LOCAL BILLS INTRODUCED

SENATE

S 108 (Joint Resolution) Wake Bicentennial Comm'n funding WAKE
Introducer: Bailey Sent to LOC GOVT

"Amending the 1969 resolution regarding the Wake County Bicentennial Commission."
Adds new Sec. 3.1 to 1969 SL Res. 39 (establishing Wake County Bicentennial Commission) giving Comm'n power to accept donations and gifts in meeting its expenses in carrying out official duties, including compensation of personnel. Declares expenditures to be for public purposes for which Wake County may appropriate non-tax revenues. Requires Comm'n to file report of expenditures with County Commissioners within 30 days of end of each anniversary year of Comm'n.

HOUSE

H 157 Durham firemen's retirement DURHAM
Introducer: Miller, Royall and Whichard Sent to LOC GOVT

"To amend Chapter 576 of the Session Laws of 1951 relating to computation of the Durham firemen's supplemental retirement benefits." Adds new Sec. 6 1/2 to 1951 SL Ch 576 (Durham Firemen's Supplemental Retirement System) providing that in computing supplemental retirement benefits due under that system no account shall be

taken of any increase in benefits paid to a retired fireman who was a member of the Local Governmental Employees' Retirement System as a result of GS 128-27(j) (percentage increase in benefits granted in 1967 to members who had begun receiving benefits prior to July 1, 1967) or GS 128-27(k) (cost-of-living increases added in 1969 for beneficiaries receiving retirement allowances) or any other provisions applicable to all members of the Local Governmental Employees' Retirement System. Effective July 1, 1971

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 25 Unmarked State vehicles (digested in Bulletin No. 6, p. 31; amendment digested in Bulletin No. 9, p. 55)

Amendment adopted in House 2/5/71 to provide that state vehicles may be exempted from provisions requiring sign of state ownership upon finding by Council of State that it is in public interest to grant exemption because of use to be made of vehicle, exemption to be perfected upon filing with Secretary of State of following information: (1) identity of vehicle, (2) use to be made of it, (3) individual or department to which it is assigned, and (4) period of exemption, which may not exceed 12 months.

HOUSE BILLS

None

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 25 UNMARKED STATE VEHICLES. H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
S. 68 DRIVER LICENSE-OLD CONVICTIONS. H-REC FROM SENATE; H-REF TO COM ON HY SAFTY.
H. 15 BLOOD DONORS-18 YR. OLD. H-PASSED 2ND READING.
#H. 76 GEN. STAT. COMM'N MEMBERSHIP. RATIFIED CH. 1.
H. 137 (J.RES.) HONORING NORTHWEST ASSOCIATION. S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.
H. 151 (J.RES.) HONORING SUTTON. H-PASSED 2ND & 3RD READING.
H. 152 (J.RES.) HONORING FEREBEE. H-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 102 (DURHAM) DURHAM DIRECTOR OF PUBLIC SAFETY. S-PASSED 2ND READING.
H. 39 (MECKLENBURG) CHARTER COMMISSION AMENDMENT. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT; S-TAKEN FROM COM; S-PASSED 2ND & 3RD READING.
H. 68 (GUILFORD) GREENSBORO LAND DEDICATION. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
H. 71 (CRAVEN) FIVE DAY BANKS. S-REC FROM HOUSE; S-REF TO COM ON BANKING.

Next Sessions of Senate:

9:30 a.m., Saturday, Feb. 6, 1971, for the consideration of local bills only.

7:00 p.m., Monday, Feb. 8, 1971.

Next Sessions of House:

10:00 a.m., Saturday, Feb. 6, 1971, for the consideration of local bills only.

7:00 p.m., Monday, Feb. 8, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

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BULLETIN NO. 19

-123-

MONDAY, FEBRUARY 8, 1971

Note: The Senate convened at 9:30 a.m. and the House at 10:00 a.m. on Saturday, February 6, 1971, for consideration of local bills only. No bills were introduced and no calendar action was taken in the Senate. No calendar action was taken in the House, but the following bill was introduced:

H 158 Hide-and-ears-show
Introducer: Twiggs

GS 14
Sent to JUDIC 2

"To repeal G.S. 14-365 regarding failing to show hide and ears of livestock killed while running at large." Repeals cited section, which prohibits (subject to maximum \$500 fine and/or six months imprisonment) killing of meat cattle, sheep or hogs in woods or range and failing for two days to show the hide and ears to nearest justice or two freeholders.

PUBLIC BILLS INTRODUCED

SENATE

S 110 Extend limited driving permits
Introducers: Jones and others

GS 20
Sent to HY SAFTY

"To amend Chapter 1283 by deleting the expiration date relating to judicial discretion to issue limited driving permits." Deletes June 30, 1971 statutory expiration date of limited driving permit law of 1969, thereby making said law permanent.

S 111 Speeding-increase license penalty
Introducer: Joyner

GS 20
Sent to HY SAFTY

"To amend GS 20-16(a)(9) to remove the authority of the Department of Motor Vehicles to suspend driving privilege for two convictions of speeding in excess of 55 miles per hour." As title indicates.

S 112 (Joint Resolution) Honoring Timberlake PAD
Introducer: Knox

MISC RES
Passed three readings
and sent to House

"Honoring Timberlake chapter of Phi Alpha Delta Law Fraternity, International and congratulating the chapter on its outstanding achievements." As title indicates.

S 113 Right of withdrawal-stores water
Introducers: Allen and others

GS 143
Sent to CONS & DEV

"To amend Article 21 of Chapter 143 of the North Carolina General Statutes, by providing for rights of withdrawal of impounded water." Adds new Part V ("Right of Withdrawal of Impounded Water") to G.S. Ch. 143, Art. 21, which provides:



(1) a "person" who lawfully "impounds" water shall have a legally protected "right of withdrawal" of "excess volume of water" attributable to the impoundment, which, as quoted words are defined, means that--(a) Protected withdrawals under act may be made directly from impoundment or from watercourse below impoundment or both.

(b) Protection provided by act applies to one who finances or guarantees part of storage cost as well as to builder of reservoir, and applies to public storage projects as well as private (individual, corporate or unincorporated group) projects. (c) Person entitled to right of withdrawal can prevent intervening, non-contributing riparian owners from withdrawing stream flows augmented by such storage. (d) Right of withdrawal may be transferred or assigned to others. (e) Local public water suppliers having a right of withdrawal may assert the right for water supply purposes, as well as other purposes. (f) Rights of withdrawal may be interpreted and applied by regulations adopted under the general rulemaking power of the N.C. Board of Water and Air Resources (BWAR) under GS 143-215.3(a)(1), and are subject to other general provisions of GS Ch. 143, Art. 21.

(2) Makes rights of withdrawal subject to following restrictions and exceptions: (a) Act protects only claims to excess water created by storage, over and above natural flow. (b) Protection applies only to water impounded for the purpose of withdrawal, and thus not to projects whose historical purposes did not include water withdrawal. (c) Rights of withdrawal are subordinate to claims that water was diverted without authority from the basin, that method of releasing or discharging water is improper, and that water quality has been impaired by withdrawal or release of water or return of water to stream, as well as being subordinate to arrangements for streamflow augmentation for water quality control. (d) Whether rights of withdrawal take effect in a "capacity use area" developed under GS 143-215.11 et seq. is left to discretion of BWAR, and this Act is made subject to Water and Air Resources Act and Dam Safety Law. (3) Amends GS 143-215.8 to extend to violations of BWAR regulations, the procedure whereby BWAR may secure injunctions against violations of statutes administered by BWAR.

HOUSE

H 159 Personalized plates-pickups-2
Introducer: Barker

GS 20
Sent to ROADS

"To amend G.S. 20-81.3(a) to make section applicable to private trucks not to exceed one ton manufacturer's rated capacity." Adds to GS 20-81.3(a) provision authorizing Comm'r of Motor Vehicles to issue special personalized registration plates for trucks not exceeding one ton (now limited to private passenger motor vehicles).

H 160 No exemption-Meat Inspection Act
Introducers: Speed and others

GS 106
Sent to AGRICULT

"To amend the Compulsory Meat Inspection Act so as to eliminate the exemption from inspection now given to producers of two thousand dollars or less per year of meat products." As title indicates. Also deletes definition of "person" and 2-year records keeping requirement from GS 106-549.27(b). Clarifies GS 106-549.27(b) by specifying that it is meat "bearing the official mark of inspection" which is to be separated from other meat food products while in freezer locker plant.

H 162 Shoplifting-mandatory jailing
Introducer: Mohn

GS 14
Sent to JUDIC 1

"To make a mandatory jail sentence for a shoplifting conviction." Amends 14-72.1 to provide mandatory minimum jail sentence of 5 days for

conviction for shoplifting; maximum sentence remains 6 months. Additional fine of up to \$100 permitted.

H 163 Age 18-medical treatment consent
Introducer: Twiggs

GS 90, 130
Sent to HEALTH

"To allow a minor 18 years of age to give consent for medical treatment." Changes title of Art. 1A of GS Ch. 90 from "Emergency Treatment of Minors" to "Treatment of Minors" and adds new GS 90-21.5 providing that any minor who is 18 or older may consent to any medical, dental, or health services for himself or his child, and for services to determine the presence of and to treat venereal or other diseases reportable under GS 130-81.

H 164 Chemical test-0.15 revocation
Introducer: James Johnson

GS 20
Sent to HY SAFTY

"To provide for revocation of driving privilege of arrested drivers registering more than .15 percent by weight of alcohol in the blood." Adds new GS 20-16.3 providing: (1) one year revocation for first test over 0.15 (administered not over 60 minutes after arrest), and (2) permanent revocation for second such test with provision for optional restoration of license with proper limitations after three years good behavior. Provides for restoration of driving privilege if person is later found not guilty of DWD; and provides that revocation under this section shall not invalidate limited driving privilege issued under GS 20-179(b)(1). Effective July 1, 1971.

H 165 Chemical test refusal revocation
Introducer: James Johnson

GS 20
Sent to HY SAFTY

"To increase the period of revocation of driving privilege for refusal to submit to chemical test for alcohol from 60 to 90 days." Amends GS 20-16.2(c) as title indicates. Effective July 1, 1971.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 161 Angier liquor store allocation
Introducers: Arnold and Love

HARNETT
Sent to LOC GOVT

"To amend Chapter 626, Session Laws of 1969, authorizing the establishment of a town liquor control store in the town of Angier, Harnett County, upon vote of the people, to provide a different allocation of the net proceeds from such store." As title indicates; reduces community library share from 25% to 10%; increases town general fund share from 75% to 80%.

SENATE AND HOUSE

CALENDAR ACTION

FEB. 08, 1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 25 UNMARKED STATE VEHICLES. S-REC FROM HOUSE; S-CONCURRED IN H AMEND.
S. 112 (J.RES.) HONORING TIMBERLAKE PAD. S-PASSED 2ND & 3RD READING.
H. 15 BLOOD DONORS-18 YR. OLD. H-PASSED 3RD READING.
#H. 137 (J.RES.) HONORING NORTHWEST ASSOCIATION. RATIFIED RES. 11.
H. 151 (J.RES.) MEMORIALIZING SUTTON. S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.
H. 152 (J.RES.) MEMORIALIZING FEREBEE. S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 36 (WAYNE) GOLDSBORO CHARTER CHANGES. H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.
S. 102 (DURHAM) DURHAM DIRECTOR OF PUBLIC SAFETY. S-PASSED 3RD READING.
#H. 39 (MECKLENBURG) CHARTER COMMISSION AMENDMENT. RATIFIED CH. 2.

Next sessions of Senate and House: 12 noon, Tuesday, February 9, 1971.



DAILY BULLETIN

The General Assembly of North Carolina

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BULLETIN NO. 20

-129-

TUESDAY, FEBRUARY 9, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 114 Working hours-women
Introducer: Knox

GS 95
Sent to MFG LABR

"To repeal G.S. 95-26 regulating the number of hours that women over the age of 16 may be employed." Repeals GS 95-26 which makes it a misdemeanor (\$50 or 30 days) to have a woman over 16 work over 11 hours per day or 55 hours per week in a laundry, workshop, factory, manufacturing establishment or mill, with exceptions for seasonal industries and agriculture.

S 115 Drivers-conviction outside state
Introducers: Flaherty and others

GS 20
Sent to HY SAFTY

"To amend Article 2 of Chapter 20 of the General Statutes of North Carolina regarding certain out-of-state traffic offenses." Adds requirement to GS 20-26(a) that Dept. of Motor Vehicles keep records of convictions occurring outside NC for driving (a) while license suspended or revoked or under influence of liquor or drugs, and (b) for reckless driving, engaging in speed competitions, failing to stop and render aid when involved in accident, and automobile manslaughter. Conforms GS 20-23 (suspending resident's license upon conviction in another state).

S 116 Divorce-trial without jury
Introducer: Gudger

GS 50
Sent to JUDIC 2

"Providing for divorce without trial by a jury." Rewrites GS 50-10 to permit trial without jury in divorce cases based on one year separation where defendant has been served by publication in accordance with GS 1A-1, Rule 4, Rules of Civil Procedure (previously required personal service on defendant), unless either party files request for jury trial in accordance with GS 1A-1, Rule 38, Rules of Civil Procedure.

S 117 Mental care-parents' liability (Iden. H 172)
Introducers: Larkins and others

GS 143
Sent to MENTAL H

"To provide a limitation on the obligation of the parents to pay the cost of care and maintenance of certain children in State Department of Mental Health facilities." Identical with H 172 digested in the House section of today's Bulletin.

HOUSE

H 169 Machinery Act of 1971
Introducers: Bumgardner and others

GS 105, 153
Sent to FINANCE

"To be known as the Machinery Act of 1971." For digest of bill, see green pages in this Bulletin.



H 170 Right of withdrawal-stored water (Iden. S 113) GS 143
Introducers: Stewart and others Sent to WATER

"To amend Article 21 of Chapter 143 of the North Carolina General Statutes, by providing for rights of withdrawal of impounded water." Identical with S 113 digested in Bulletin No. 19, p. 123.

H 171 Bail-denied for felons on bail GS 15
Introducers: Foley and Lawing Sent to JUDIC 1

"To amend Article 6 of Chapter 15 so as to deny bail as of right to persons charged with the commission of a felony while already free on bail pending trial of a felony." Adds new GS 15-47.1 providing person free on bail for felony charge to be denied bail for additional felony charge until disposition of prior offense. Bail for latter charge to be fixed only by judge of Superior Court Division. Requires priority be given these cases. Permits person denied bail pursuant to this act to receive credit on sentence for time served while awaiting trial.

H 172 Mental care-parents' liability (Iden S 117) GS 143, 14, 50
Introducers: Raynor and others Sent to MENTAL H

"To provide a limitation on the obligation of parents to pay the cost of care and maintenance of certain children in State Department of Mental Health facilities." As title indicates, adds new GS 143-127.1 limiting obligation of natural or adoptive parents of handicapped children who are long-term patients (patients for continuous period of more than 120 days) in Dep't. of Mental Health facilities to pay only costs that do not exceed those of caring for a normal child at home (as determined by Dep't.), and makes parents not liable for costs of treatment, care and maintenance when patient becomes 21. Conforms GS 14-322.2 (misdemeanor to fail to support handicapped dependent) and 50-13.8 (persons incapable of self-support at age 21 retain same rights as minors). Effective upon ratification; does not relieve parents of liability for charges previously made.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 166 Chapel Hill reserve fund ORANGE
Introducer: C. Smith Sent to LOC GOVT

"To authorize and empower the Town of Chapel Hill to create and establish special capital reserve funds and to make certain appropriations to said funds and to provide for the withdrawal and use of such funds for public purposes." Authorizes governing body of Chapel Hill to adopt ordinances creating capital reserve funds for any one of the following purposes: (1) construction or reconstruction of sidewalks; (2) acquisition of parks, recreational areas and open space; (3) acquisition or construction of municipal animal shelter or other capital uses in connection with animal control. Empowers governing body upon adoption of such ordinance to make appropriations from municipality's general fund to capital reserve fund, subject to the necessary expenses restriction of Sec. 7, Art. VII of State Constitution. Requires governing body to designate banks or trust companies in state for deposit of funds, to be secured according to GS 159-28. Authorizes investment of monies in capital reserve fund according to GS 160-431 pending authorized use; all withdrawals from fund to be by resolution in accordance with GS 160-433.

H 167 Tax lien law-Forsyth exempt
Introducers: Jemison, Davis, F.C. Farmer,
McDaniel, and McKnight

FORSYTH
Sent to LOC GOVT

"To exempt Forsyth County and the municipalities therein from the provisions of GS 105-387, relating to sales of tax liens on real property for failure to pay taxes, upon the adoption of a resolution by the governing bodies of Forsyth County and the municipalities therein." As title indicates, exempts Forsyth County and/or any municipality in County from provisions of GS 105-387 (sale of tax liens on real property for failure to pay taxes) upon adoption of appropriate resolution by governing body of County or municipality.

H 168 Garbage collection-Vance County
Introducer: Rogers

VANCE
Sent to LOC GOVT

"To make Article 22 of Chapter 153 of the General Statutes relating to garbage collection applicable to Vance County." Repeals 1961 SL Ch. 514 Sec. 1a, thereby making Article 22 of GS Ch. 153 (county commissioners' power to regulate private garbage collection and to establish garbage facilities outside of cities and towns) applicable to Vance County.

SENATE AND HOUSE

CALENDAR ACTION

FEB.09,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- #S. 25 UNMARKED STATE VEHICLES. RATIFIED CH. 3.
S. 88 FIREMEN'S PENSION INVESTMENTS. S-REPTD FAV AS AMENDED.
S. 103 STATE BAR FEES OF ATTORNEYS. S-REPTD FAV.
S. 104 STATE BAR COUNCIL-TRAVEL EXPENSES. S-REPTD FAV.
S. 112 (J.RES.) HONORING TIMBERLAKE PAD. H-REC FROM SENATE; H-PLACED ON CAL FOR FEB 10.

H. 15 BLOOD DONORS-18 YR. OLD. S-REC FROM HOUSE; S-REF TO COM ON PUB HLTH.
H. 75 FIRE INS. STAT. OF LIMITATIONS. H-REPTD FAV.
H. 129 STATE BAR FEES OF ATTORNEYS. H-REPTD FAV.
H. 130 STATE BAR COUNCIL-TRAVEL EXPENSES. H-REPTD FAV.
H. 136 SEALS OMITTED FROM DEEDS. H-REPTD FAV.
H. 140 GS 30-3 TECHNICAL CHANGE. H-REPTD FAV.
H. 145 SMOKES, SALES TO MINORS. H-REPTD FAV.
#H. 151 (J.RES.) MEMORIALIZING SUTTON. RATIFIED RES. 12.
#H. 152 (J.RES.) MEMORIALIZING FEREBEE. RATIFIED RES. 13.

LOCAL BILLS

- S. 6 (NEW HANOVER) WOUND REPORTS BY HOSPITALS.(1/29) H-REPTD FAV.
S. 44 (GUILFORD) GREENSBORO LAND DEDICATION. S-REPTD FAV.
S. 77 (GASTON) BESSEMER CITY ELECTIONS. S-REPTD FAV.
S. 102 (DURHAM) DURHAM DIRECTOR OF PUBLIC SAFETY. H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.

H. 68 (GUILFORD) GREENSBORO LAND DEDICATION. S-REPTD FAV.
H. 70 (WILSON) WILSON MAPPED STREETS. S-REPTD FAV.
H. 123 (ALAMANCE) HAW R. SAN. DIST. LAND SALE. H-REPTD FAV.

Next sessions of Senate and House: 12 noon, Wednesday, February 10, 1971.

STATE OF NEW YORK
IN SENATE
JANUARY 10, 1900.
REPORT OF THE
COMMISSIONERS OF THE LAND OFFICE.

ALBANY:
J. B. LEECH, PRINTER.
1900.
PUBLISHED BY
THE STATE OF NEW YORK.
ALBANY:
J. B. LEECH, PRINTER.
1900.
PUBLISHED BY
THE STATE OF NEW YORK.
ALBANY:
J. B. LEECH, PRINTER.
1900.

PROPOSED MACHINERY ACT OF 1971

The proposed Machinery Act of 1971 completely rewrites the property tax law. Significant changes and new provisions are digested below:

Appraisal and Assessment: The true value appraisal standard has not been changed [§ 105-283], and the procedure for selecting an assessment ratio remains the same [§ 105-284]. The eight-year real property revaluation schedule has not been altered except to take into account accelerations that have occurred since 1961 [§ 105-286]. The State Board of Assessment is authorized to develop and recommend standards and rules for use by counties in appraising specific kinds and categories of property for taxation throughout the State [§ 105-291(g)].

Exemption and Classification: The coverage of the property tax has not been changed; the existing exemption and classification provisions of the Machinery Act have been incorporated in the new act without amendment [§§ 105-274 through -282].

Office of County Tax Supervisor: The State Board of Assessment is made responsible for training persons for the position of county tax supervisor [§ 105-289(e)], and boards of county commissioners, as of July, 1973, will be required to appoint to this position persons whose qualifications have been certified as satisfactory by the State Board. (Persons holding this office on July 1, 1971, are deemed to be qualified without this certification.) [§ 105-294(a) and (b)]. Beginning in July, 1973, the tax supervisor will be appointed for a six-year term. (The present term runs for two years.) [§ 105-294(a)].

List Taker System: Each county is permitted to decide for itself whether it will use list takers in its property tax system; they will not be employed unless the county commissioners appropriate funds for that purpose [§ 105-296(b)]. If they are used, they will be chosen by the tax supervisor alone and they will take an oath of office [§ 105-298], but their responsibilities will be assigned by the county tax supervisor rather than by statutory provisions [§ 105-296(b)].

Form of Abstract: The State Board of Assessment is authorized to prescribe the abstract form and to approve any form proposed for county use [§ 105-318]. Detailed provisions as to what abstracts must show with regard to personal property have been deleted, leaving the State Board free to require only the detail it feels necessary [§ 105-309(d)].

Oath or Affirmation: The former requirement that each taxpayer swear to his listing before a list taker or officer qualified to take oaths has been repealed; instead, taxpayers are permitted to sign affirmations comparable to those used for income tax purposes [§ 105-310].

Use of Officers and Agents in Listing: The use of agents in listing property for taxation is limited to an individual taxpayer who is unable to list for himself; business firms are not permitted to list through agents -- their abstracts must be

signed by a principal officer of the firm. Nonresident individuals may submit personally signed listings through an agent [§ 105-311].

Listing Property of Husband and Wife: Real property owned by husband and wife as tenants by the entirety must be listed in the names of both husband and wife on a single abstract [§ 105-302(c)(10)], and personal property owned jointly by husband and wife must be listed on a single abstract [§ 105-306(c)(7)]. If a married couple own personal property jointly and also own realty by the entirety, they are to list both the personal property and the realty on a single abstract [§ 105-309(a)(1)].

Criminal Penalty for Failure to List: The maximum possible penalty for failing to list property, for concealment of property, and for aiding and abetting the concealment of property has been increased from a \$50 fine or thirty days imprisonment to a \$500 fine or six months imprisonment [§ 105-308].

Reports by Custodians: Persons and firms having custody of taxable tangible personal property on January 1 that has been entrusted to them for storage, sale, renting, or any other business purpose are required to furnish the county tax supervisor a statement describing the property and stating its quantity and ownership. The penalty for failure to furnish the report is liability for any unpaid tax on such property plus \$250 [§ 105-315]. (The coverage of the present statutes is limited to warehouses, cooperatives, consignees, and brokers.) Similar reports are required of owners of aircraft and boat storage facilities [§ 105-316]. (The coverage of the present statutes is limited to trailer park operators).

Discovered Property: The term "discovered property" is defined to include both property that was not listed during a regular tax listing period and property that was listed but with regard to the value, quantity, or other measurement of which the taxpayer made a substantial understatement in listing [§ 105-312(a)(1)].

Appeals to State Board of Assessment: Appeals to the State Board of Assessment from listing or valuation decisions of the county board of equalization and review are permitted at any time within thirty days after the board has mailed the appellant a notice of its decision [§ 105-324(b)]. (The present statute permits such an appeal to be taken at any time within sixty days after the board has adjourned.) In hearing such appeals, the State Board of Assessment is given an option to sit as a full board or to use hearing officers whose recommended findings of fact and conclusions of law would be subject to review by the full Board, which is empowered to accept them, to make new findings of fact or conclusions of law based upon the record, or to rehear the appeal with respect to any portion of the record, findings, or conclusions [§ 105-290(b)]. Explicit provision is made for property owners to appeal to the State Board of Assessment from the order of a board of county commissioners adopting schedules, standards, and rules to be used in a revaluation of real property, but the right to take such an appeal is restricted to a thirty-day period following publication of the commissioners' adoption order [§§ 105-290(c), -317(c)].

* * *

Public Service Company Definition: In addition to companies covered by the present act, the term "public service company" is defined to include pipeline, gas, electric membership, cable television, bus line, motor freight carrier, airline, and any other company performing a public service that is regulated by the ICC, FPC, FAA,

or N. C. Utilities Commission [§ 105-333(1)].

Public Service Company Appraisal: The State Board of Assessment is made responsible for appraising (a) the rolling stock of bus lines and motor freight carriers; (b) the flight equipment of airlines; and (c) the value of each "covered public service company" (that is, public service companies other than bus lines, motor freight carriers, and airlines) as a system -- a duty that requires the appraisal of both system and non-system property. Properties of bus lines and motor freight carriers (other than rolling stock) and of airlines (other than flight equipment) are to be listed and appraised locally, but counties are not to appraise any other properties of public service companies [§ 105-335(a)]. In appraising rolling stock and flight equipment, the State Board of Assessment is to consider book value and replacement cost [§ 105-336(b)]. In appraising each covered public service company's system property, the Board is to consider (a) the market value of the company's capital stock and debt, (b) the book value of its system property and its replacement cost, (c) its gross receipts and operating income, and (d) any other relevant factor [§ 105-336(a)]. In appraising each covered public service company's non-system property, the Board is to adhere to the standards established for appraising properties in the taxing units in which such property is situated [§ 105-335(b)(2) and (3)]. In appraising a railroad as a system, the Board is to distinguish between "non-distributable" system property (land other than right-of-way, depots, machine shops, warehouses, office buildings, other structures, and the contents of such structures) and "distributable" system property (all other). In appraising the rolling stock of a motor freight carrier, the Board is to distinguish between locally assigned rolling stock and all other.

Apportionment for Taxation in N.C.: If a public service company operates outside as well as inside this state, the State Board of Assessment is to apportion to this state a proper share of the valuation of that company and its property by applying to the total of those figures property, business, and mileage factors according to the ratio that the company's property, business, or mileage in this state bears to the company's total property, business, or mileage. This apportionment procedure applies to rolling stock and flight equipment as well as to system value of covered public service companies [§ 105-337].

Allocation of Valuations for Taxation by Local Units: Appraised valuations of the various categories of public service company property are to be allocated to local taxing units as follows: (a) Non-system property of a covered public service company -- to the local units in which such company property is situated [§ 105-339]. (b) Non-distributable system property of railroads -- to the local units in which such company property is situated [§ 105-340(a)]. (c) Distributable system property of railroads -- to the local units in which the company has lines and in accord with the ratio that the miles of the company's lines in the unit bears to the total of the company's lines in the state, adjusted to reflect differences in traffic density [§ 105-338(b)(1)]. (d) Telephone company system property (after being divided into two defined classes) -- Class 1 property valuations: to the units in which such company property is situated, and in the proportion that the original cost of such property in the unit bears to the original cost of all such company property in the state. Class 2 property valuations: to the units in which the company operates, and in the proportion that the miles of the company's single-aerial-wire and single-wire-in-cable in the unit bears to the total wire miles of the company in the state [§ 105-338(b)(2)]. (e) System property of other covered public service companies -- to the local units in which the company operates, and in the proportion that the original cost of the company's taxable system property in the unit bears to the

original cost of such company property in the state [§ 105-338(b)(3)]. (f) Rolling stock of bus lines -- to the local units in which the company operates, and in accord with the ratio of the company's gross earnings from passengers and freight in the unit to the company's total gross earnings from passengers and freight in the state -- both figures being taken from the preceding year [§ 105-338(c)(1)]. (g) Locally assigned rolling stock of motor freight carriers -- to the local units in which such company property is situated [§ 105-339]. (h) Other rolling stock of motor freight carriers -- to the local units in which the company has terminals, and in accord with the ratio of tons of freight handled at the company's terminals within the unit to the total tons of freight handled by the company in the state -- both figures being taken from the preceding year. If the company has no terminal in the state, rolling stock valuations are to be allocated to the unit in which the company's principal place of business in this state is located. (If the company has no principal place of business in this state, the valuations are to be allocated to the unit in which the company has legal residence. If the company has no terminal, no principal place of business, and no residence in this state, the valuation of its taxable rolling stock is to be allocated to the local units in which the company operates, and in accord with the ratio of tons of freight handled at premises at which the company regularly conducts business in the unit to the tons of freight handled by the company in this state -- both figures being taken from the preceding year.) [§ 105-338(c)(2)]. (i) Flight equipment -- to each local unit in which is situated an airport used by the company, and in accord with the ratio obtained by averaging the following two ratios: (1) the number of the company's ground hours in the unit to the total number of the company's ground hours in the state, and (2) the company's gross revenue in the unit to the company's total gross revenue in the state -- all figures being taken from the preceding year [§ 105-338(c)(3)].

Local Taxation of Public Service Company Valuations: Each local taxing unit is to apply its assessment ratio to public service company appraised valuations certified by the State Board of Assessment, and the local unit is to tax the assessments thus obtained at the rate of tax it imposes on other property [§§ 105-339, -340, -341].

Notice, Hearing, and Appeal: Each public service company appraisal made by the State Board of Assessment is to remain tentative until the company has been given an opportunity to be heard. If a hearing is requested, it must be held, and the Board's subsequent decision must be served on the company. The company is given thirty days thereafter in which to seek judicial review under § 143-306 if it desires to do so [§ 105-342].

* * *

Tax Collection Calendar: The tax due date has been advanced from the first Monday in October to the first day of September; interest for nonpayment of taxes begins to accrue on the first day of January after the due date [§ 105-360(a)]. March is made the earliest and June the latest month in which the annual lien sale may be held [§ 105-369(b)]; the date for the collector's annual settlement is set as the first Monday in July [§ 105-373(a)(3)].

Discounts and Interest: Discounts for prepayment are not required, but any taxing unit desiring to grant discounts may establish its own schedule, subject to the approval of the State Board of Assessment [§ 105-360(c)]. Interest for failure to pay taxes on time has been increased from 1% for the first month plus 1/2% per month thereafter to 2% for the first month plus 1% per month thereafter [§ 105-360(a)].

Interest on tax lien sale certificates has been increased from 6% to 12% per annum [§§ 105-370(a), -371(a), -372(b)].

Levy and Garnishment: The tax collector's authority to use garnishment in the enforcement of collection is made equivalent to his authority to use levy both as to time and subject-matter [§ 105-366]. To the list of properties subject to levy has been added personal property that has been repossessed by one having a security interest therein [§ 105-366(b)(6)]. The collector's right to levy on or garnish a partner's personal property for partnership taxes is made available only after partnership assets have been exhausted [§ 105-366(b)(8)]. The period of time in which a collector may proceed against the property of the transferee of a merchant's stock of goods on which taxes remain unpaid is extended from sixty days to six months after the transfer [§ 105-366(b)(5) and (d)(3)]. A similar extension is made applicable to the collector's power to reach property transferred by any taxpayer by any means other than a bona fide sale [§ 105-366(b)(9)]. The garnishment procedure available to county and municipal collectors is rewritten to parallel that now used by the Commissioner of Revenue in collecting state taxes [§ 105-368].

Foreclosure: The requirement that mortgage-type foreclosure proceedings not be initiated until six months after the date of the tax lien sale has been removed as to governmental units (thereby making present § 105-414 superfluous) but retained as to private plaintiffs [§ 105-374(b)]. The requirement that all real property subject to unpaid tax liens within a single township be foreclosed in a single action has been deleted [§ 105-374(f)]. No restriction is placed on the number of years' taxes for which in rem foreclosure may be used [§ 105-375(b)]. (The present law limits its applicability to the foreclosure of liens sold not more than two years before initiation of the foreclosure procedure.) Pending foreclosure actions commenced under present § 105-391 or § 105-414 are to be prosecuted under new § 105-374; pending foreclosure actions commenced under present § 105-392 are to be prosecuted under new § 105-375 [§ 105-395(b)].

Right to Demand Refunds: Taxpayers who have claims for refund of taxes are required to assert them within three years after the contested tax became due [§ 105-382]. (The present provision fixing the period at eight years dates from 1967 and supplants an earlier provision fixing the period at two years.)

Effective Date and Effect on Local Legislation: The act is effective on July 1, 1971, and its provisions are made uniformly applicable throughout the state [§§ 105-272, -395(c)]. Thus, all conflicting local acts (except those relating to the selection of tax collectors) in effect on July 1, 1971, are repealed [§ 105-395(c)], and local acts that become effective after that date are not to be construed as amending or repealing any provisions of this act unless they refer specifically to the sections to be amended or repealed [§ 105-272].

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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829-7677

BULLETIN NO. 21

-135-

WEDNESDAY, FEBRUARY 10, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 118 Appointment and term of magistrates
Introducer: Gudger

GS 7A
Sent to COURTS

"To amend G.S. 7A-171 relating to the appointment of magistrates." Revises dates for appointment of magistrates as follows: (1) clerk of superior court submits names of magisterial nominees not later than second Monday in December of each even-numbered calendar year (now, first Monday in October); (2) senior regular resident superior court judge appoints magistrates not later than fourth Monday in December (now, first Monday in November); and term of magistrates begins first day in January of ensuing year (now, first Monday in December). Effective July 1, 1971.

S 119 Tax-exempt charities
Introducer: Knox

GS 36, 105
Sent to FINANCE

"To supplement the governing instruments of charitable private foundations enabling their acquisition or retention of tax-exempt status under the Internal Revenue Code of the United States." Adds new GS 36-23.3 which creates statutory presumption that governing instrument of any charitable organization described in section 501(c)(3) of the Internal Revenue Code of the United States: (1) requires organization to distribute its income at such time and in such manner that it will not be subject to federal tax under section 4942, and (2) prohibits organization (a) from engaging in any act of self-dealing (as defined in section 4941 (b)), (b) from retaining any excess business holdings (as defined in section 4943(c)), (c) from making any investments in such manner as to subject it to tax under section 4944, and (d) from making any taxable expenditures (as defined in section 4945(b)). Permits any such organization to exclude these presumed provisions from its governing instrument by filing an election with the Attorney General at any time.

HOUSE

H 173 Honoring Perry brothers
Introducers: Everett and Josey

MISC RES
Passed three readings
and sent to Senate

"Honoring Jim and Gaylord Perry for their outstanding accomplishments in baseball." As title indicates

H 174 Memorializing Woodson
Introducer: Nash

MISC RES
Passed three readings
and sent to Senate

"Commemorating the life and memory of Nelson Woodson." As title indicates.



H 175 Honoring Timberlake PAD (Iden. S 112)
Introducers: Miller and others

MISC RES
Sent to RULES

"Honoring Timberlake Chapter of Phi Alpha Delta law fraternity, international and congratulating the chapter on its outstanding achievements." Identical with S 112 digested in Bulletin No. 19, p. 123.

H 176 Bear hunting out-of-season
Introducers: Kincaid and others

GS 113
Sent to WILDLIFE

"To increase the penalty for killing bear out-of-season." Amends GS 113-126.1 to increase maximum penalty for hunting bear out-of-season to \$250 (now, \$100) or 90 days' imprisonment (now, 60) or both.

H 177 Extend limited driving permits (Iden. S 110)
Introducers: Watkins and others

GS 20
Sent to HY SAFTY

"To amend Chapter 1283 by deleting the expiration date relating to judicial discretion to issue limited driving permits." Identical with S 110 digested in Bulletin No. 19, p. 123.

H 178 Brown bagging limitations
Introducer: Rhyne and others

GS 18
Sent to ABC

"To amend G.S. 18-51.1 so as to prohibit brown bagging except in those cities or counties where the establishment of liquor stores has been authorized." Amends GS 18-51.1 (3) to authorize brown bagging permit only in city or county where ABC store authorized by popular vote. Where municipality but not county is authorized for ABC store, then no brown bagging permits are authorized for premises outside the city until county ABC stores are authorized by vote (present law does not make this restriction, but authorizes permits for premises located within a county once one county or city store is established within the county). Requires by April 1, 1971, revocation of previously-issued brown bagging permits unlawful under act.

H 179 State aid-airports
Introducer: Lilley

GS 113, 105
Sent to FINANCE

"To provide permanent sources of State financial assistance for the State Airport Aid program." Rewrites GS 113-28.9 to provide following sources for State aid to airports: (1) proceeds of sales and use taxes on sale, lease or rental of airplanes, aircraft parts, equipment and accessories, and aviation gasoline and fuel, and (2) private funds that become available (now, State aid limited to appropriations therefor to CONS&DEV, and private funds). Also requires funds derived from such sources be devoted exclusively to State aid to airports. Conforms GS 105-258 ("State taxes; purposes".) Effective July 1, 1971.

H 181 Tax exempt military retired pay-2
Introducers: Payne and Hunt

GS 105
Sent to FINANCE

"To amend GS 105-141 (b) to exempt from taxation retirement benefits received by retired armed forces personnel." Adds to list of benefits excluded from individual income tax under GS 105-141(b) any amount received by taxpayer as retired or retainer pay as result of service in armed forces. Effective July 1, 1971. (On the same subject, see S. 18, digested in Bulletin No. 1, p. 5).

H 182 Law officers' sick leave
Introducer: Vogler

GS 143
Sent to ST PERS

"To amend GS 143-166 relating to sick leave credit with respect to the Law Enforcement Officers' Benefit and Retirement Fund." Rewrites third paragraph and first sentence of fourth paragraph of GS 143-166(i) to add provision for any public employer (local or state) of a law enforcement officer to pay into Fund to officer's account an amount not in excess of 10% of gross salary that would have been paid to retiring officer had he been compensated for all accumulated sick leave at time of retirement, amount being in lieu of any other compensation for accumulated sick leave.

H 183 Law officers' retirement fund
Introducer: Vogler

GS 143
Sent to ST PERS

"To amend G.S. 143-166, relating to the Law Enforcement Officers' Benefit and Retirement Fund, so as to reduce the minimum service requirement for retirement and to redefine eligible law enforcement officers." Amends GS 143-166(j), changing from 20 to 15 years the period of contribution to Fund required for eligibility for retirement benefits. Amends GS 143-166(m) to define "law enforcement officers" as all officers employed by the State of NC or any political subdivision thereof having full power of arrest and whose primary duty is enforcing on public property criminal laws of State and/or serving civil process (new section retains above definition from present law but eliminates the following enumeration of groups eligible for Fund benefits: sheriffs, deputy sheriffs, constables, police officers, prison wardens and deputy wardens, prison camp superintendents, prison stewards, prison foremen and guards, highway patrolmen, and any citizen duly deputized by a sheriff or other law enforcement officer in an emergency).

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 180 More magistrates
Introducers: Mason; Barker and Bright

CARTERET
Sent to COURTS

"Amending GS 7A-133, relating to the minimum and maximum numbers of magistrates so as to increase from five to six the maximum number of magistrates in Carteret County." As title indicates. Effective July 1, 1971.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 88 Firemen's pension investments (digested in Bulletin No. 15, p. 95).
Amendment adopted in Senate 2/9/71 adds sentence to require credit of interest to NC Firemen's Pension Fund.

HOUSE BILLS

None

SENATE AND HOUSE

CALENDAR ACTION

FEB.10,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 37 (J.RES.) CRIMINAL CODE COMMISSION. H-REPTD FAV AS AMENDED.
S. 88 FIREMEN'S PENSION INVESTMENTS.(2/10) S-COM AMEND ADOPTED;
S-PASSED 2ND & 3RD READING.
S. 103 STATE BAR FEES OF ATTORNEYS. S-PLACED ON CAL FOR FEB 11.
S. 104 STATE BAR COUNCIL-TRAVEL EXPENSES. S-PLACED ON CAL FOR FEB 11.
S. 112 (J.RES.) HONORING TIMBERLAKE PAD. H-PLACED ON CAL FOR FEB 11.

H. 23 SPEED LIMIT RESCUE SQUADS. S-REPTD FAV.
H. 75 FIRE INS. STAT. OF LIMITATIONS. H-PASSED 2ND READING.
H. 129 STATE BAR FEES OF ATTORNEYS. H-PASSED 2ND READING.
H. 130 STATE BAR COUNCIL-TRAVEL EXPENSES. H-PASSED 2ND & 3RD READING.
H. 136 SEALS OMITTED FROM DEEDS. H-PASSED 2ND & 3RD READING.
H. 140 GS 30-3 TECHNICAL CHANGE. H-PASSED 2ND & 3RD READING.
H. 145 SMOKES,SALES TO MINORS. H-PASSED 2ND READING.
H. 173 (J.RES.) HONORING PERRY BROTHERS. H-PASSED 2ND & 3RD READING;
S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.
H. 174 (J.RES.) MEMORIALIZING WOODSON. H-PASSED 2ND & 3RD READING;
S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 6 (NEW HANOVER) WOUND REPORTS BY HOSPITALS.(1/29) H-PASSED 2ND READING.
S. 38 (GREENE) COMM'R,SCHOOL BD. PAY. H-REPTD FAV AS AMENDED.
#S. 44 (GUILFORD) GREENSBORO LAND DEDICATION. S-POSTPONED INDEF.
S. 77 (GASTON) BESSEMER CITY ELECTIONS. S-PASSED 2ND & 3RD READING.

H. 27 (WILSON) COUNTY AUDITOR REPEAL. H-REPTD FAV.
H. 29 (ORANGE) HILLSBOROUGH COMMISSION TERMS. H-REPTD FAV.
H. 31 (WAYNE) COUNTY BOND FEES LIMIT. H-REPTD FAV AS AMENDED.
H. 45 (WILKES) NORTH WILKESBORO RETIREMENT. H-REPTD FAV.
H. 50 (BERTIE) ABOLISH COUNTY TREASURER. H-REPTD FAV.
H. 67 (PASQUOTANK) ABOLISHING COUNTY TREASURER. H-REPTD FAV.
H. 68 (GUILFORD) GREENSBORO LAND DEDICATION. S-PASSED 2ND READING.
H. 70 (WILSON) WILSON MAPPED STREETS. S-PASSED 2ND READING.
H. 72 (ORANGE) CHAPEL HILL-CARRBORO ED. BD.. H-REPTD FAV.
H. 90 (STOKES) COUNTY ACCN'T AS TREAS.. H-REPTD FAV.

- H. 94 (CATAWBA) HICKORY FIREMEN'S RETIREMENT. H-REPTD FAV AS AMENDED.
- H. 109 (WILKES) WILKESBORO RETIREMENT. H-REPTD FAV.
- H. 110 (S RRY) PI T MOUNTAIN CHARTER (7/10) H-REPTD FAV & AMENDED; H-COM AMENDS ADOPTED; H-PASSED 2ND READING.
- H. 123 (ALAMANCE) HAW R. SAN. DIST. LAND SALE. H-PASSED 2ND & 3RD READING.
- H. 147 (DURHAM) DURHAM DIRECTOR OF PUBLIC SAFETY. H-REPTD FAV.

Next sessions of Senate and House: 12 noon, Thursday, February 11, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 22

-141-

THURSDAY, FEBRUARY 11, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 120 Property tax relief to aged (Iden. H 185)
Introducers: Scott and others

GS 105
Sent to FINANCE

"Granting property tax relief to certain aged and indigent persons." Identical with H 185 digested in the House section of today's Bulletin.

S 121 No exemption-Meat Inspection Act (Iden. H 160)
Introducers: White and others

GS 106
Sent to AGRICULT

"To amend the Compulsory Meat Inspection Act so as to eliminate the exemption from inspection now given to producers of two thousand dollars or less per year of meat products." Identical with H 160, digested in Bulletin No. 19, page 124.

S 122 Central School for Deaf
Introducers: Kirby and others

GS 115
Sent to PUB HLTH

"To incorporate and establish the Central North Carolina School for the Deaf." Establishes Central NC School for the Deaf under present GS Ch. 115, Art. 41 (State Schools for the Deaf), at a location to be determined by Directors of NC Schools for the Deaf with approval of the Governor. Revises GS Ch. 115, Art. 41, to eliminate obsolete and transitional matter. Recites that new school made desirable by closing of Gov. Morehead School and subsequent overcrowding of facilities in Wilson and Morganton due to transfer of pupils.

S 123 Filing legitimization petitions
Introducers: Kirby and Strickland

GS 49
Sent to JUDIC 2

"To amend GS 49-10 relating to the legitimization of children." Amends GS 49-10 to permit a putative father who is not a NC resident to file a petition for legitimization in the superior court of the county in which the child resides. (If a resident, he now files in county in which he resides.) Effective October 1, 1971.

S 126 Day-care facilities-3
Introducer: Strickland

GS 110
Sent to JUDIC 2

"Providing for the fair and equitable regulation and licensing of child day-care centers and promoting the health and safety of children in such centers." Adds new Art. 7, "Day-Care Facilities" to GS Ch. 110. Creates Day-Care Licensing Board, composed of eleven members -- four designated state officials or representatives (Comm'rs of Insurance and Public Welfare, State Health Director and State Supt. of Public Instruct.) and seven citizens, five of whom must be active operators for profit of day-care facilities, one of whom must be active operator of non-profit facility, and one other citizen; operators of for-profit centers to be operators of facilities of different



sizes; all operators appointed by Governor for staggered six-year terms. Provides that Board chooses chairman from among Governor's appointees. Provides following powers for Board: (1) to provide for issuance of licenses to day-care facilities, (2) to develop a system of registration for day-care facilities not subject to licensing, (3) to elect Director, (4) to establish procedures for application, approval, renewal and revocation of licenses, (5) to provide for provisional licenses, (6) to furnish forms for implementing this Article, and (7) to serve as administrative appeal body for issues related to licenses. Provides for Director, elected by Board, with following duties: (1) to administer licensing program, (2) to obtain the services of other units of state or local governments, (3) to hire personnel, (4) to issue licenses pursuant to this Article, (5) to revoke licenses (6) to prosecute or defend, for State, legal actions arising out of this Article, and (7) to promote educational programs for day-care operators.

Requires operators of facilities which provide for care for more than five children, each under thirteen years of age, for more than four hours on a regular basis and for pay, to procure an annual license from the Board. (Specifically exempts public schools; non-public schools, whether or not accredited by NC Dep't. of Public Instruction, which regularly provide course of grade---school instructions to school-age children; full-time residence (summer camps; summer day camps; and Bible schools). Requires operator to demonstrate that facility meets minimum statutory standards. Standards are: (1) requires compliance with minimum health and sanitation standards set forth in Article; a medical examination and immunization meeting the requirements of GS Ch. 130, Arts. 9 and 9A for each child prior to admission to the facility, a plan of emergency medical care, minimum lavatory facilities, separate beds, mats or cots for each child for rest periods, and minimum kitchen facilities; (2) requires that each operator and employee of a day-care facility must be certified at least every three years to be free from tuberculosis and venereal disease; (3) requires that each facility must provide a lunch, snacks, rest periods, and if weather permits outdoors exercise for each child; (4) requires that facilities must be located in areas not hazardous to the physical or moral welfare of the children; (5) requires facilities to be in a building meeting requirements developed specifically for facilities by North Carolina Building Code Council, and approved by the Board; (6) requires annual inspection by local fire department, using standards developed by Insurance Dep't. and approved by the Board; (7) requires minimum floor space, air space and outdoor play area per child; (8) requires minimum staff-child ratio, depending on ages of children; (9) provides age and character requirements for staff members. Requires annual license to be issued. Sets procedures for denying or renewing licenses. Provides for administrative review by Board and for judicial review of actions of Board reviewing denial or revocation of license. Provides for gradual implementation of Article through registration of present operators until statutory requirements for license met. Provides that any operator not procuring and displaying license is guilty of misdemeanor.

Adds new GS 105-60 providing that day-care facilities required to procure license must pay privilege license tax of \$2.00 for each child for which it is licensed. Effective date Jan. 1, 1972.

(On the same subject, see S 10, digested in Bulletin No. 1, p. 3-4, and S 72 and H 100 (identical with each other), digested in Bulletin No. 12, p. 77-78).

S 127 Tax exempt military retired pay-3 (Iden. H 186)
Introducers: Alley and others

GS 105
Sent to FINANCE

"To amend G.S. 105-141(b) to exempt from taxation certain retirement benefits received by retired armed services personnel." Identical with H 186 digested in the House section of today's Bulletin.

HOUSE

H 184 (Joint Resolution) Dixie Classic B-ball
Tournament

MISC RES
Sent to RULES

Introducer: Jones

"Concerning the reestablishment of the Dixie Classic Basketball Tournament." Encourages leaders of "Big Four" Universities to re-establish Dixie Classic.

H 185 Property tax relief to aged (Iden. S 120)

Introducers: Harris and others

GS 105

Sent to FINANCE

"Granting property tax relief to certain aged and indigent persons." Amends GS 105-281 to exempt from property taxation a maximum of \$5,000 (appraised value) real property used as principal place of residence if owner is retired and his (or anyone who contributes one-half or more to his support) annual disposable income is less than \$3,500. Includes definitions of "retired", "disposable income", "owner", and "principal place of residence". Exemption must be claimed and proved annually when the person lists his property taxes, but not later than April 15 each year. Effective January 1, 1972.

H 186 Tax exempt military retired pay-3 (Iden. S 127)

Introducer: DeBruhl

GS 105

Sent to FINANCE

"To amend G.S. 105-141(b) to exempt from taxation certain retirement benefits received by retired Armed Forces personnel." As title indicates, adds new GS 105-141(b)(17) exempting from gross income for taxation purposes first \$3,000 received by taxpayer as retired or retainer pay resulting from service in US Armed Forces. Effective with respect to income years beginning on and after January 1, 1971.

H 187 Realty brokers and salesmen

Introducer: Twiggs

GS 93A

Sent to JUDIC 2

"To rewrite portions of Chapter 93A of General Statutes relating to real estate brokers and salesmen." Adds new GS 93A-3(f) authorizing NC Real Estate Licensing Board to conduct education and information programs for the general public, licensees, and applicants for license. Adds new GS 93A-6(c) requiring realtors to maintain records of financial transactions with their principals to be made available to Board during complaint investigations. Rewrites GS 93A-9 to read as follows: "An applicant from another state, which offers licensing privileges to residents of North Carolina, may be licensed by conforming to all the provisions of this Chapter and, in the discretion of the Board, such other terms and conditions as are required of North Carolina residents applying for license in such other state; provided that the Board may exempt from the examination prescribed in G.S. 93A-4 a broker or salesman duly licensed in another state if a similar exemption is extended to licensed brokers and salesmen from North Carolina." (Present GS 93A-9 states: "A nonresident may become a real estate broker or real estate salesman by conforming to all of the provisions of this chapter: Provided, however, the resident state of such person offers the same privilege to residents of North Carolina. Any non-resident real estate broker or real estate salesman regularly engaged in the real estate business as a vocation maintaining a definite place of business in another state, and who has been licensed as a real estate salesman or broker in such state, shall, by reason of such foreign license and upon payment of the license fee fixed by this chapter, be authorized to transact the business of a real estate broker or real estate salesman in this State during the period for which his original license shall be in force: Provided, however, the provisions of this sentence shall only be applicable with respect to states which grant to licensed brokers or salesmen of this State the right to transact the business of a real estate broker or salesman in such state without being required to pass any examination.") Effective July 1, 1971.

H 188 Blank auto titles

Introducer: Farmer

GS 20

Sent to HY SAFTY

"To amend GS 20-71 to prohibit the unauthorized possession of blank motor vehicle certificates of title." Creates section (b) of GS 20-71 which prohibits the reproduction or possession of blank North Carolina motor vehicle certificates (or facsimiles thereof), except by certain authorized personnel. Makes violation punishable by fine from \$100 to \$500, or imprisonment up to six months, or both.

H 189 Estates-transfer of autos
Introducer: R. Farmer

GS 20, 31
Sent to HY SAFTY

"To amend G.S. 20-77(b) to facilitate transfer of title to motor vehicles by heirs where such vehicles constitute sole asset of estate." Amends GS 20-77(b) to provide that if a decedent dies intestate, with motor vehicles as only assets, and no administrator has qualified, the Department may transfer title to any person designated in affidavit executed by all heirs. Does not affect any creditor's lien on autos.

H 190 Ins. lapse-auto registration
Introducer: R. Farmer

GS 20
Sent to HY SAFTY

"To harmonize the provisions of G.S. 20-309(e) and G.S. 20-311 relating to re-registration of vehicles when registration has been revoked because of lapse in liability insurance coverage." Clarifies GS 20-311 by conforming it to GS 20-309(e) to prohibit, for 60 days, the re-registration by owner, spouse of owner, child of spouse of owner, or child of owner of any auto which has had its registration revoked because of lapse in liability insurance. (Now, prohibits owner, spouse of owner, child of owner, or spouse of child of owner.)

H 191 Fire ins. stat. of limitations-2
Introducers: Short and others

GS 58
Sent to INSUR

"To amend the standard fire insurance policy for North Carolina to allow suits for recovery of claims to be commenced within three years after loss." As title indicates, deletes "twelve months" and inserts "three years" on line 161, page 488, 1965 Replacement Vol. 2B, Standard Fire Policy (GS 58-176(c)). (For similar bill, see H 75, digested in Bulletin No. 10, p. 58.)

H 192 Negro & American Indian history
Introducer: J. J. Johnson

GS 115
Sent to EDUCATN

"Concerning the teaching of Negro and Indian history in the public schools." Amends GS 115-37 to require inclusion of Negro and American Indian history in course of study prepared by NC Supt. of Public Instruction for county and city boards of education.

H 193 Intangibles exemption, over 65
Introducer: C. Smith

GS 105
Sent to FINANCE

"To classify intangible personal property owned by individuals sixty-five years of age and older and to relieve such property from assessment for taxation." Adds new GS 105-212.1 as title indicates.

LOCAL BILLS INTRODUCED

SENATE

S 124 Hickory firemen's retirement (Iden. H 94)
Introducer: Combs

CATAWBA
Sent to LOC GOVT

"To provide a supplemental retirement fund for firemen in the City of Hickory and to modify the application of G.S. 118-5, 118-6 and 118-7 to the City of Hickory." Identical with H 94 digested in Bulletin No. 11, page 70.

S 125 Clinton elections
Introducer: Warren

SAMPSON
Sent to LOC GOVT

"To amend Chapter 115 of the Private Laws of North Carolina of the Extra Session of 1913 relating to amending the charter of the City of Clinton relating to the polling place for city elections and registration procedure." Changes polling place from courthouse to city hall. Alters time for closing of registration on Saturdays from 9:00 p.m.

to 6:30 p.m.

H 194 Chapel Hill police jurisdiction
Introducer: C. Smith

ORANGE
Sent to LOC GOVT

"To amend Chapter 87 of the Session Laws of 1961 relating to the Charter of the Town of Chapel Hill." Defines extraterritorial police jurisdiction as within 5 miles of the town limits inside Orange County (now, within territorial jurisdiction of Chapel Hill Recorder's Court).

SENATE AND HOUSE

CALENDAR ACTION

FEB. 11, 1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 37 (J.RES.) CRIMINAL CODE COMMISSION.(2/02) H-RE-REF TO COM ON ST GOVT.
S. 70 ACCIDENT REPORTS; FILING TIME. S-REPTD FAV.
S. 88 FIREMEN'S PENSION INVESTMENTS.(2/10) H-REC FROM SENATE; H-REF TO COM ON ST PERS.
S. 103 STATE BAR FEES OF ATTORNEYS. S-PLACED ON CAL FOR FEB 16.
S. 104 STATE BAR COUNCIL-TRAVEL EXPENSES. S-PLACED ON CAL FOR FEB 16.
S. 112 (J.RES.) HONORING TIMBERLAKE PAD. H-PASSED 2ND & 3RD READING.
H. 15 BLOOD DONORS-18 YR. OLD. S-REPTD FAV.
#H. 20 PERSONALIZED PLATES-PICKUPS. H-REPTD UNFAV.
H. 23 SPEED LIMIT RESCUE SQUADS. S-PASSED 2ND & 3RD READING.
H. 44 OUT-OF-STATE DIVORCE PROCESS.(2/02, 2/03) S-REPTD FAV.
H. 75 FIRE INS. STAT. OF LIMITATIONS. H-PASSED 3RD READING.
H. 106 VALIDATING CLERKS' CERTIFICATES. S-REPTD FAV.
H. 129 STATE BAR FEES OF ATTORNEYS. H-PASSED 3RD READING.
H. 130 STATE BAR COUNCIL-TRAVEL EXPENSES. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
H. 136 SEALS OMITTED FROM DEEDS. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
H. 140 GS 30-3 TECHNICAL CHANGE. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
H. 145 SMOKES, SALES TO MINORS. H-PASSED 3RD READING.
H. 159 PERSONALIZED PLATES-PICKUPS-2. H-REPTD FAV.
H. 160 NO EXEMPTION-MEAT INSPECTION ACT. H-REPTD FAV.
H. 163 AGE 18 MEDICAL TREATMENT CONSENT. H-REPTD FAV.
#H. 173 (J.RES.) HONORING PERRY BROTHERS. RATIFIED RES. 14.
#H. 174 (J.RES.) MEMORIALIZING WOODSON. RATIFIED RES. 15.

LOCAL BILLS

- S. 6 (NEW HANOVER) WOUND REPORTS BY HOSPITALS.(1/29, 1/29) H-PASSED 3RD READING.
S. 38 (GREENE) COMM'R, SCHOOL BD. PAY.(2/11) H-COM AMENDS ADOPTED; H-PASSED 2ND & 3RD READING.
S. 77 (GASTON) BESSEMER CITY ELECTIONS. H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.

- S. 102 (DURHAM) DURHAM DIRECTOR OF PUBLIC SAFETY. H-PASSED 2ND
READING.
- H. 27 (WILSON) COUNTY AUDITOR REPEAL. H-PASSED 2ND & 3RD READING.
- H. 29 (ORANGE) HILLSBOROUGH COMMISSION TERMS. H-PASSED 2ND & 3RD
READING.
- H. 31 (WAYNE) COUNTY BOND FEES LIMIT.(2/11) H-COM AMEND ADOPTED;
H-PASSED 2ND READING.
- H. 45 (WILKES) NORTH WILKESBORO RETIREMENT. H-PASSED 2ND & 3RD
READING.
- H. 50 (BERTIE) ABOLISH COUNTY TREASURER. H-PASSED 2ND & 3RD
READING.
- H. 67 (PASQUOTANK) ABOLISHING COUNTY TREASURER. H-PASSED 2ND & 3RD
READING.
- H. 68 (GUILFORD) GREENSBORO LAND DEDICATION. S-PASSED 3RD READING.
- H. 70 (WILSON) WILSON MAPPED STREETS. S-PASSED 3RD READING.
- H. 72 (ORANGE) CHAPEL HILL-CARRBORO ED. BD.. H-PASSED 2ND & 3RD
READING.
- H. 90 (STOKES) COUNTY ACCN'T AS TREAS.. H-PASSED 2ND & 3RD READING.
- H. 94 (CATAWBA) HICKORY FIREMEN'S RETIREMENT.(2/11) H-COM AMEND
ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 109 (WILKES) WILKESBORO RETIREMENT. H-PASSED 2ND & 3RD READING.
- H. 110 (SURRY) PILOT MOUNTAIN CHARTER.(2/10) H-PASSED 3RD READING.
- H. 123 (ALAMANCE) HAW R. SAN. DIST. LAND SALE. S-REC FROM HOUSE;
S-REF TO COM ON LOC GOVT.
- H. 127 (GUILFORD) AMEND GREENSBORO CHARTER. H-REPTD FAV AS AMENDED.
- #H. 147 (DURHAM) DURHAM DIRECTOR OF PUBLIC SAFETY. H-POSTPONED INDEF.

Next sessions of Senate and House: 10:00 a.m., Friday, February 12, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

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BULLETIN NO. 23

-149-

FRIDAY, FEBRUARY 12, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 128 Small claim actions
Introducer: Gudger

GS 7A
Sent to COURTS

"To amend Article 19 of Chapter 7A of the General Statutes with regard to small claim actions." Amends GS 7A-213,-216,-217(1),-219 and-232 to provide that defendant in small claim action may be subjected to court's jurisdiction by personal service of process under Rule 4(j) of NC Rules of Civil Procedure.

S 129 Optional sales tax distribution (Iden. H 205)
Introducers: Burney and others

GS 105
Sent to FINANCE

"To distribute the proceeds of the local option sales tax to the former taxing counties." Identical with H 205, digested in the House section of today's Bulletin.

S 130 (Joint Resolution) Piedmont rapid transit
(Iden. H 196)
Introducers: Horton and others

STUDY, GS 136
Sent to ROADS

"Creating a commission to investigate and plan for an economical, efficient and rapid means of transportation among the cities of the Piedmont Crescent." Identical with H 196, digested in the House section of today's Bulletin.

S 131 Rapid growth-small water systems (Iden. H 213)
Introducers: Allen and others

GS 130, 62
Sent to CONS & DEV

"To control the rapid growth in the number of small water supply systems, and to authorize the State Board of Health to require all public water supply systems to meet certain requirements." Adds new GS 130-161.1, reciting problems associated with rapid growth of inadequate small water supply systems and giving NC Board of Health following new powers: (a) to adopt design and construction standards for public water supplies; (b) to require chlorination of all public water supplies (beginning 7/1/71 for new systems and by 7/1/73 for existing systems); (c) to require that water system plans provide for adequate supplies to anticipated service areas, and be adaptable to future interconnections; (d) to require that plans be prepared by a licensed engineer; (e) to require that proposed water supply plans be coordinated with land use plans and (by a notice-and-response procedure) with water supply plans of neighboring suppliers; and (f) to require submission of evidence of financial responsibility by developers of privately owned public water supplies. Specifies that all public water supply system plans be approved by NC Board of Health, and that powers granted are supplemental to existing powers concerning water systems of NC Board of Health under GS Ch. 130 and NC Utilities Comm'n under GS Ch. 62.



S 133 \$1.60 minimum wage (Iden. H 18)
Introducer: Alley

GS 95
Sent to MFG LABR

"To amend G.S. 95-87 to increase minimum wages." Identical with H 18, digested in Bulletin No. 2, p. 11. Effective January 1, 1972.

S 134 Youth Commission appropriation (Iden. H 204)
Introducers: Jones and Henley

GS 110
Sent to APPROPRN

"To appropriate sixty thousand dollars (\$60,000.00) for the conduct of the Governor's Advocacy Commission on Children and Youth." Identical with H 204, digested in the House section of today's Bulletin.

S 135 Youth Advocacy Commission (Iden. H 203)
Introducers: Jones and Henley

GS 110
Sent to ST GOVT

"To amend Chapter 110 of the General Statutes to establish the Governor's Advocacy Commission on Children and Youth." Identical with H 203, digested in the House section of today's Bulletin.

HOUSE

H 195 (Joint Resolution) Jaycee Day
Introducers: Jones and others

MISC RES
Passed three readings
and sent to Senate

"Designating February 12, 1971, as Jaycee Day in the General Assembly." As title indicates.

H 196 (Joint Resolution) Piedmont rapid transit
(Iden. S 130)
Introducers: Holshouser and others

STUDY, GS 136
Sent to JUDIC 1

"Creating a commission to investigate and plan for an economical, efficient and rapid means of transportation among the cities of the Piedmont Crescent." As title indicates, creates comm'n to study inter-urban Piedmont rapid transportation, composed of 9 members (4 appointed by Speaker of House, 4 by Pres. of Senate, and 1 by State Planning Officer), one to be elected chairman. Requires study of feasibility, financing, location and type of transportation. Empowers comm'n to use staff and facilities of Dep't. of Administration's Planning Division and to employ other consultants. Requires comm'n's expenses be paid from Contingency and Emergency Fund. Requires report to General Assembly by October 1, 1972.

H 197 (Joint Resolution) Encourage correctional reform
Introducer: Wynne

MISC RES

"Encouraging individuals and concerned civic and community organizations to support affirmative attitudes regarding correctional reform." As title indicates.

H 198 Subdivision traffic rules
Introducer: Barker

GS 20
Sent to HY SAFTY

"To amend G.S. 20-139, 20-140.1 and 20-141 to make these sections applicable to areas open to vehicular traffic in residential subdivisions." Makes applicable to areas in residential subdivisions GS sections prohibiting drunken driving, reckless driving and excessive speed. Effective July 1, 1971.

H 199 Par banking
Introducers: Martin and R. H. Jernigan

GS 53
Sent to BANKS

"To prohibit banks from charging fees on remittances covering checks." Rewrites GS 53-70 to prohibit banks from charging fee on remittances covering checks (now, permits charge not in excess of 1/8 of 1% or minimum fee of \$.10 on each remittance). Amends GS 53-73 (barring charge for checks drawn in payment of obligations to State or US government) so that it applies only to GS 53-71 (checks payable in exchange) (now, applies to GS 53-70 and 71). Repeals GS 53-72, --74 to conform to new GS 53-70. Effective July 1, 1971.

H 202 Emergency warning signals
Introducers: Beam and others

GS 20
Sent to HY SAFTY

"To amend Chapter 20 of the General Statutes to require all motor vehicles to be equipped with emergency warning signals and to require inspection thereof." Adds new GS 20-125.2 prohibiting operation of motor vehicles on state highways unless equipped with emergency warning signals of type approved by Comm'r of Motor Vehicles. Adds new GS 20-183.3(8) to include such warning signals in vehicle inspections. Violation constitutes misdemeanor under GS 20-176(b) (establishes penalties). Points not assessed for conviction under GS 20-16(c) (point system). Penalty not included in definition of moving violation under GS 20-13(a) (revokes provisional licenses). Effective January 1, 1972.

H 203 Youth Advocacy Commission (Iden. S 135)
Introducers: Chase and Raynor

GS 110
Sent to HEALTH

"To amend Chapter 110 of the General Statutes to establish the Governor's Advocacy Commission on Children and Youth." Adds new GS 110-65 through 110-72 as Art. 6, establishing Comm'n (in Dep't of Administration) as advisory body to advocate interests of youth and children to all agencies (state, local gov't and private) providing youth services. Comm'n to be composed of 19 members: 2 senators (appointed by Pres. of Senate), 2 representatives (appointed by Speaker), and State Health Director, Commissioners of Social Services, Mental Health and Juvenile Correction, State Superintendent of Public Instruction, and Director of Local Affairs, and 7 adults and 2 youths (of different ages) appointed by Governor. General Assembly members to serve 2-yr. terms, adults 4-yr. terms staggered, and youths 2-yr. terms staggered. Vacancies to be filled by appointing authority for remainder of unexpired term.

Commission to elect annually a chairman (and may elect other officers). Chairman to be member from General Assembly or adult appointed by Governor, and may not serve more than 4 consecutive one-year terms.

Commission to have powers and duties to (1) appoint administrator, with Governor's approval, (2) act as advocate for youth and children and provide assistance in developing and coordinating advocacy programs at regional and local levels, (3) review and study existing state programs affecting children, youth and their families, (4) identify needs not being met and recommend new programs or improvements, (5) aid state and local groups to coordinate efforts and avoid duplication, (6) review new programs proposed by State agencies, (7) report and recommend to Governor and General Assembly, and (8) provide information to state, local and private agencies.

Administrator to administer and implement Comm'n's recommendations, conduct studies, furnish information and encourage regional and local programs.

Effective July 1, 1971.

H 204 Youth Commission Appropriation (Iden. S 134)
Introducers: Chase and Raynor

APPROPRIATION
Sent to APPROPRN

"To appropriate sixty thousand dollars (\$60,000.00) for the conduct of the Governor's Advocacy Commission on Children and Youth." As title indicates; for Comm'n expenses for 1971-73 biennium. Effective July 1, 1971.

H 205 Optional sales tax distribution (Iden. S 129)
Introducers: Quinn and others

GS 105
Sent to FINANCE

"To distribute the proceeds of the local option sales tax to the former taxing counties
Directs Comm'r of Revenue forthwith to distribute net proceeds of local option sales-use tax collected only during 4th quarter 1970 to counties and municipalities entitled thereto (GS 10 164.56), had constitutionality of statute been sustained.

Specifies exclusive remedies for taxpayers desiring to apply for refunds of sales-use taxes, whenever collected, by filing written refund claim within 90 days after effective date (ratification) of this Act, as follows: (1) claim by retailer who collected and paid tax, for so much of tax remissions as does not exceed taxes paid by retailer but not collected from purchaser, plus taxes refunded or credited by retailer to purchaser; (2) claim by those entitled to refunds under GS 105-164.14(a) and (c) (certain regulated carriers, on spare parts, lubricants etc.; and counties, cities, towns and sanitary districts); or (3) claims by anyone else who paid tax directly to Comm'r and entitled to claim refunds.

Prescribes procedures for claims and evidence required. Provides that suits to recover claims denied by Comm'r are barred unless instituted within 90 days after mailing of notice of Comm'r's denial; claim deemed denied 6 months after filing if Comm'r has not approved by then; suits to be brought in Wake County General Court of Justice trial division if claim is \$200 or less, and in Wake County or county where claimant resides if claim exceeds \$200.

Provides for Comm'r to make refunds from such taxes received after Dec. 31, 1970; if refunds to claimants from within a taxing county exceed 4th quarter receipts from that county, excess to be deducted from intangibles tax distributions to that county; if any net proceeds remain after all refunds, Comm'r to make further distributions to counties and municipalities on each June 30 and December 31 of each year.

H 210 Slow vehicle reflectors
Introducers: Auman and others

GS 20
Sent to HY SAFETY

"To amend G.S. 20-129.1 to require special reflective devices to be displayed on the rear of slow-moving vehicles such as farm tractors and implements of husbandry operated on highways." Adds new GS 20-129.1(10) requiring certain described vehicles, with maximum potential speed of 25 mph, to be identified with reflective device (described in new subsection) when operating on any street or highway. Sets forth location of device on those vehicles. Prohibits use of device on other vehicles.

H 211 No warranty on human tissue
Introducer: Twiggs

GS 25, 130
Sent to HEALTH

"To amend G.S. 25-2-314 to remove from the definition of a sale the transfer of human tissues and blood." Adds new GS 25-2-314(4) declaring preparations and processes for transfer of human tissues and blood to be services and not sales, and thus not subject to implied warranty of merchantability of GS 25-2-314(1).

H 212 Adoption of abandoned children
Introducer: Campbell

GS 48
Sent to JUDIC 2

"To provide for the adoption of abandoned children eighteen years of age or more."
Amends GS 48-2(3a) and (3b) by deleting from definition of abandoned child present requirement that child be under age of eighteen. Effective July 1, 1971.

H 213 Rapid growth-small water systems (Iden. S 131) GS 130, 62
Introducers: Stevens and others Sent to WATER

"To control the rapid growth in the number of small public water supply systems, and to authorize the State Board of Health to require all public water supply systems to meet certain requirements." Identical with S 131, digested in the Senate section of today's Bulletin.

H 214 Obstructing highways GS 136, 20
Introducer: J. E. Ramsey Sent to HY SAFTY

"To amend G.S. 136-91 to make it unlawful to obstruct any public vehicular area." Rewrites GS 136-91 (prohibiting placing glass or injurious obstructions on public highways) to also include any driveway, roadway, parking lot or other public or private area open to public for vehicular traffic or parking. Effective October 1, 1971.

H 216 Teacher sick leave-2 GS 115
Introducers: Payne and others Sent to EDUCATN

"To amend G.S. 115-11(13) to provide additional sick leave for all professional personnel employed by public county or city school administrative units." Empowers State Bd. of Education to provide for sick leave at minimum rate of .833 days per month of service (now, maximum of 5 days per year). (On the same subject see H 46, digested in Bulletin No. 6, p. 35.)

H 217 Teacher vacation GS 115
Introducers: Payne and Hunt Sent to EDUCATN

"To amend G.S. 115-11 empowering the State Board of Education to make provisions for paid holidays for all public school employees." Adds new GS 115-11(19) providing that each public school employee accumulates 1.25 days of vacation for each month employed, and authorizing Board to allow employees vacations with pay.

LOCAL BILLS INTRODUCED

SENATE

S 132 County manager's powers HAYWOOD
Introducer: Alley Sent to LOC GOVT

"To amend Chapter 488 of the Public-Local Laws of 1939." Repeals para. 8, Sec. 1 of said law (duty of Chairman of Bd. of Comm'rs to nominate all county employees). Adds to para. 9, Sec. 1 of said law requirement that all purchases of county be approved by entire Bd. monthly, and that auditor monthly submit to Bd. complete statement of receipts and disbursements.

HOUSE

H 200 Register-filing of papers PERQUIMANS
Introducer: Culpepper Sent to LOC GOVT

"To exempt Perquimans County from the application of G.S. 47-17.1 regarding designating draftsmen on documents filed in the Register of Deeds office." As title indicates.

H 201 Courthouse tax fund WAYNE
Introducers: Kemp and Chase Sent to LOC GOVT

"To authorize the Wayne County Board of Commissioners to place the proceeds from

the 1968 tax levy for the county courthouse addition in the General Fund of Wayne County to be spent, in the discretion of the Board, for public and necessary expenses." As title indicates. Funds from tax levy are now in building fund.

H 206 N. Wilkesboro land sale WILKES
Introducers: J. Brown and Haynes Sent to LOC GOVT

"To authorize the town of North Wilkesboro to sell and convey certain lands at private sale." Provides for public or private sale of described 9,877 sq. ft. of land (part of lot 1 in block 410, as shown on Trogon's Map of Town of N. Wilkesboro) for not less than fair market value as determined by Town governing body from at least 2 appraisal

H 207 Charlotte refuse disposal MECKLENBURG
Introducers: Vogler, Beatty, Campbell, Cobb Sent to LOC GOVT
Foley, Hicks and Lawing

"To amend Chapter 713 of the Session Laws of 1965, being the Charter of the City of Charlotte in Mecklenburg County relating to refuse disposal." Amends Ch. VII, Subch. A, Art. III, Sec. 7.41 to provide that City Council may enter into service contracts either collection or disposal of refuse. (Now, may only contract for the disposal of municipally-collected refuse.)

H 208 Charlotte civil service MECKLENBURG
Introducers: Vogler, Beatty, Campbell, Cobb, Sent to LOC GOVT
Foley, Hicks and Lawing

"To amend Chapter 713 of the Session Laws of 1965, being the Charter of the City of Charlotte in Mecklenburg County relating to civil service." Amends Ch. IV, Subch. D, Sec. 4.61(14) to provide that the Chief of the Fire Department may be employed on a temporary basis during war-time emergency and for 6 months thereafter.

H 209 Charlotte Coliseum Authority MECKLENBURG
Introducers: Vogler, Beatty, Campbell, Cobb, Sent to LOC GOVT
Foley, Hicks and Lawing

"To amend Chapter 713 of the Session Laws of 1965, being the Charter of the City of Charlotte in Mecklenburg County relating to Auditorium-Coliseum Authority." Amends Ch. V (Authorities, Boards and Commissions) to change name of Auditorium-Coliseum Authority to Auditorium-Coliseum-Civic Center Authority and to vest in renamed Authority additional powers of control, management and operation of property and improvements acquired or made for civic center purposes.

H 215 Liquor sales-1 gallon MADISON
Introducers: Messer and L. B. Ramsey Sent to LOC GOVT

"To amend the Session Laws 1969, Chapter 617, Section 3 to include Madison County." Includes Madison County in coverage of Sec. 3, Ch. 617, Session Laws of 1969 (regulating sale, etc. of liquor in excess of 1 gallon).

H 218 Lexington elections DAVIDSON
Introducers: Hege and Snyder Sent to LOC GOVT

"Relating to the election of Mayor and City Councilmen of the City of Lexington, North Carolina." Amends Sec. 6, Ch. 5, Public-Local Laws of 1941 (City charter) to increase number of councilmen by three, two of whom shall be elected by wards and one at large.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

None

HOUSE BILLS

H 127 Amend Greensboro Charter (digested in Bulletin No. 16, p. 103)

Five amendments adopted in House 2/12/71, 1-4 being technical changes and 5 striking from act Sec. 12 (repeal of Chs. 696 and 1060 of Session Laws of 1969 as to composition and mode of election of Mayor and Council).

SENATE AND HOUSE

CALENDAR ACTION

FEB.12,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 70 ACCIDENT REPORTS; FILING TIME. S-PASSED 2ND & 3RD READING.
#S. 112 (J.RES.) HONORING TIMBERLAKE PAD. RATIFIED RES. 16.
H. 15 BLOOD DONORS-18 YR. OLD. S-PASSED 2ND & 3RD READING.
#H. 23 SPEED LIMIT RESCUE SQUADS. RATIFIED CH. 5.
H. 44 OUT-OF-STATE DIVORCE PROCESS.(2/02, 2/03) S-PLACED ON CAL FOR FEB 16.
H. 75 FIRE INS. STAT. OF LIMITATIONS. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
H. 102 HOUSING AUTHORITY BOUNDARIES. H-REPTD FAV.
#H. 105 GRAND JURY-NO JAIL INSPECTIONS. H-REPTD UNFAV.
H. 106 VALIDATING CLERKS' CERTIFICATES. S-PASSED 2ND & 3RD READING.
H. 129 STATE BAR FEES OF ATTORNEYS. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
H. 145 SMOKES, SALES TO MINORS. S-REC FROM HOUSE; S-REF TO COM ON MFG LABR.
H. 158 HIDE-AND-EARS SHOW. H-REPTD FAV.
H. 159 PERSONALIZED PLATES-PICKUPS-2. H-PASSED 2ND & 3RD READING.
H. 160 NO EXEMPTION-MEAT INSPECTION ACT. H-PASSED 2ND READING.
H. 163 AGE 18 MEDICAL TREATMENT CONSENT. H-PASSED 2ND & 3RD READING.
H. 195 (J.RES.) JAYCEE DAY. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.

LOCAL BILLS

- #S. 6 (NEW HANOVER) WOUND REPORTS BY HOSPITALS.(1/29, 1/29) RATIFIED CH. 4.
S. 38 (GREENE) COMM'R, SCHOOL BD. PAY.(2/11) S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.
S. 102 (DURHAM) DURHAM DIRECTOR OF PUBLIC SAFETY. H-PASSED 3RD READING.
H. 27 (WILSON) COUNTY AUDITOR REPEAL. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
H. 29 (ORANGE) HILLSBOROUGH COMMISSION TERMS. S-REC FROM HOUSE; S-REF TO COM ON ST GOVT.
H. 31 (WAYNE) COUNTY BOND FEES LIMIT.(2/11) H-PASSED 3RD READING.
H. 45 (WILKES) NORTH WILKESBORO RETIREMENT. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

- H. 50 (BERTIE) ABOLISH COUNTY TREASURER. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 67 (PASQUOTANK) ABOLISH COUNTY AUDITOR. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- #H. 68 (GUILFORD) GREENSBORO LAND DEDICATION. RATIFIED CH. 6.
- #H. 70 (WILSON) WILSON MAPPED STREETS. RATIFIED CH. 7.
- H. 72 (ORANGE) CHAPEL HILL-CARRBORO ED. BD.. S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
- H. 90 (STOKES) COUNTY ACCN'T AS TREAS.. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 94 (CATAWBA) HICKORY FIREMEN'S RETIREMENT.(2/11) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 109 (WILKES) WILKESBORO RETIREMENT. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 110 (SURRY) PILOT MOUNTAIN CHARTER.(2/10) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 127 (GUILFORD) AMEND GREENSBORO CHARTER.(2/12) H-COM AMENDS ADOPTED; H-PASSED 2ND READING.

Next Sessions of Senate:

9:30 a.m., Saturday, February 13, 1971, for the consideration of local bills only.

8:00 p.m., Monday, February 15, 1971.

Next Sessions of House:

9:00 a.m., Saturday, February 13, 1971, for the consideration of local bills only.

8:00 p.m., Monday, February 15, 1971.

INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 7294

State Legislative Building

Telephone 755-2838

BULLETIN NO. 24

-159-

MONDAY, FEBRUARY 15, 1971

Note: The Senate convened at 9:30 a.m. and the House at 10:00 a.m. on Saturday, February 13, 1971, for consideration of local bills only.

PUBLIC BILLS INTRODUCED

SENATE

S 136 Obscenity Act-2

GS 14

Introducers: Kirby and Flaherty

Sent to JUDIC 1

"Prohibiting dissemination of certain forms of obscenity." Adds new Art. 26 to GS Ch. 14 regulating direct commercial distribution of certain explicit sexual materials to young persons. Makes it misdemeanor to disseminate explicit sexual material to young persons or display explicit sexual material for sale in area to which young persons have access, without social value for adults. Defines "young persons" as those under 18 years old; defines "explicit sexual material" as pictorial or three-dimensional material of described nature. Requires knowing violation as defined, and makes available defenses of parental consent or marriage of "young person." Prohibits public displays of explicit sexual materials and defines such displays. Creates civil remedy of declaratory judgment and injunction, available on petition of State, and specifies hearing procedures for remedial action. Specifically repeals GS 14-189, -189.1, -192 and -193 (obscene literature and exhibitions, transmittal of obscenity into NC, obscene writings near public places and exhibiting obscene or immoral pictures and advertising). Prescribes policy that criminal prosecutions be brought prior to obtaining declaration only in cases unquestionably within the applicable definition. (For related bill, see S 29, digested in Bulletin No. 6, p. 33.)

S 137 Zoning-public hearing

GS 160

Introducer: Moore

Sent to LOC GOVT

"To amend G.S. 160-177 so as to require a public hearing on changes in zoning plans." Adds paragraph to GS 160-177 that prohibits municipal legislative body from adopting modified zoning plan until a public hearing with notice is held concerning the modification. Applicable to all plans not finally adopted prior to ratification.

S 138 Buffer zones-protest amendments

GS 160

Introducer: Moore

Sent to LOC GOVT

"To amend G.S. 160-176 relating to protest of zoning changes." Adds new para. to GS 160-176 requiring 3/4 vote of municipal legislative body to approve zoning amendment affecting area of more than 5 acres, if protested by any owner of 20% or more of surrounding property lying within 100 ft. of outside boundary line of petitioner seeking amendment, or within 100 ft. from street frontage of petitioner's property (and directly opposite); protest right does not extend to

owner of property more than 500 ft. from outside boundary line of property included in proposed change. Effective upon ratification and applies to any plan which has not been finally adopted prior to effective date of act.

S 139 Clerks', magistrates' salaries (Iden. H 220)
Introducers: Bailey and Harrington

GS 7A
Sent to COURTS

"To revise G.S. 7A-101 concerning the salaries of clerks of superior court and G.S. 7A-172 concerning salaries of magistrates." Identical with H 220 digested in the House section of today's Bulletin.

S 140 Right-of-way signs
Introducers: Deane and others

GS 136
Sent to ROADS

"To amend Chapter 136 of the General Statutes to prohibit the State Highway Commission from posting signs giving notice of right-of-way boundaries and to require the removal of existing signs giving notice of right-of-way boundaries." Adds GS 136-19.5, providing as title indicates, with respect to notices of State highway boundaries; Act not to prohibit placing stakes or markers designating such boundaries (which stakes or markers are presumed for purposes of civil or criminal liability to indicate such boundaries and that SHC owns indicated right-of-way). Failure to have signs posted indicating right-of-way boundaries not to relieve any person from civil or criminal liability for cutting trees or shrubs, or for placing billboards or other obstacles within right-of-way without SHC permit.

S 141 Preliminary hearing
Introducers: Allsbrook and Staton

GS 15
Sent to JUDIC 1

"To modify the criminal procedure to provide for a preliminary hearing." Provides for preliminary hearing by adding new Art. 9 to GS Ch. 15 and repealing GS 15-85 thru -97, 15-100, 15-101, and 7A-273(3). Requires anyone arrested for felony to be taken before a magistrate by arresting officer. Requires magistrate, except in capital cases, to fix bail or recognizance as provided by GS 15-103.1. Provides for preliminary hearing in district court for anyone charged with felony who was not indicted by grand jury, unless it is waived. Requires district court judge to determine before hearing whether accused is entitled to appointment of counsel, and if he is, to appoint counsel for him. If court determines that accused is not entitled to appointed counsel, is represented by privately retained counsel, or has waived his right to counsel, then accused shall demand or waive the preliminary hearing. Does not require accused to plead to charge at hearing and demand for hearing does not prejudice accused. Places burden of proving probable cause on State, and subjects State's witnesses to cross-examination. Upon finding of "probable cause" at conclusion of State's evidence, or waiver of preliminary hearing, the accused shall be bound over to superior court and bail or recognizance reviewed pursuant to GS 15-103.1. Provides for imprisonment if accused cannot post bail or no bail or recognizance is allowed. Upon finding of "no probable cause," the district court judge is required to enter such finding and order immediate release of accused. Requires clerk of superior court, when finding of "no probable cause" is entered, to furnish solicitor true copy of warrant within three days. Effective Sept. 30, 1971.

S 142 State capital challenges GS 9
Introducers: Staton and Allsbrook Sent to COURTS

"To amend G.S. 9-21(b) to increase from six to nine the peremptory challenges allowed the State in capital cases." As title indicates.

S 143 Obstructing highways (Iden.H 214) GS 136
Introducers: Staton and Allsbrook Sent to ROADS

"To amend G.S. 136-91 to make it unlawful to obstruct any public vehicular area." Identical with H 214, digested in Bulletin No. 23, p. 153.

S 144 Clarify signals law GS 20
Introducers: Staton and Allsbrook Sent to HY SAFTY

"To clarify the law relating to signals on starting, stopping, or turning."
Amends GS 20-154(b) to provide that failure to give signal continuously for 200 ft. shall not constitute negligence per se, in lieu of present provision that violation of section is not negligence per se.

S 145 (Joint Resolution) Memorializing Robert Hunt Parker MISC RES
Introducers: Allsbrook and others Passed three readings and sent to HOUSE

"Honoring the life and memory of Robert Hunt Parker." As title indicates.

HOUSE

H 219 Transcript costs-State appeals GS 143
Introducer: Love Sent to JUDIC 1

"To amend G.S. 143-291.1 to provide that when the State or any of its departments, institutions, or agencies appeals the decision of a hearing commissioner that the State shall bear the cost of the appellee's transcript provided that if the State prevails, the cost of the transcript shall be taxed against the appellee." As title indicates, adds provision allocating to the appellant State department, institution or agency the costs of State appeals from Industrial Commission hearing commissioners to full Commission if State department, institution or agency loses.

H 220 Clerks', magistrates' salaries (Iden. S 139) GS 7A
Introducers: Short and others Sent to APPROPN

"To revise G.S. 7A-101 concerning the salaries of clerks of superior court and G.S. 7A-172 concerning salaries of magistrates." Rewrites 7A-101(a) to provide clerk of superior court shall receive annual salary based on population of county as determined by 1970 federal census according to shedule below:

Population

"Less than 10,000.....	\$ 7,704.00
10,000 to 19,999.....	8,424.00
20,000 to 49,999.....	11,220.00
50,000 to 99,999.....	12,660.00

100,000 to 149,999.....	\$ 14,520.00
150,000 to 199,999.....	17,052.00
200,000 to 274,999.....	18,504.00
275,000 to 349,999.....	19,800.00
350,000 and above.....	21,000.00"

Amends 7A-101(b) to permit Administrative Officer of the Courts to authorize annual salary increase for any clerk of superior court provided increase does not exceed salary for next higher population group (now, not over 10%), and for 350,000 (now 250,000) group does not exceed 10% of salary for that group.

Amends GS 7A-172 to increase maximum magistrates salary to \$7,944.00 (now \$7,200.00). Effective July 1, 1971.

H 222 Professional drivers' points
Introducer: J.C. Johnson

GS 20
Sent to HY SAFTY

"To amend the point system to provide that professional drivers who operate vehicles over 25,000 miles per year lose license only after accumulating 15 points or more." Amends GS 20-16(a)(5) to provide that Dep't of Motor Vehicles may suspend with or without hearing professional driver's license if, within three-year period he accumulates 15 or more points and drives more than 25,000 but less than 50,000 miles per year, or accumulates 18 or more points and drives more than 50,000 miles per year. Allows proof of miles driven to be made on affidavit of driver's employer or of driver if self-employed. Amends GS 20-16(a) by adding new paragraph (12) that incorporates present provision of paragraph (5) allowing Dept of Motor Vehicles to suspend license of any operator or chauffeur who has, within three-year period immediately following reinstatement of license that has been suspended or revoked because of conviction for one or more traffic offense, accumulated eight or more points under GS 20-16(c)(point system). Effective July 1, 1971.

H 223 Hearing-auto license suspension
Introducer: Leatherman

GS 20
Sent to HY SAFTY

"To amend G.S. 20-28.1 to provide for departmental hearings upon recommendation of judge and solicitor." Adds new GS 20-28.1(d) permitting judge and solicitor of court wherein conviction for violation of this section was obtained (moving violation while license suspended or revoked) to recommend that Dept examine case and exercise discretion in suspending or revoking driver's license. Dep't shall conduct hearing and may impose lesser period of additional suspension or revocation or refrain from imposing any additional period under GS 20-28.1.

H 225 Validating clerk's default jt.
Introducer: Patton

GS 1
Sent to JUDIC 1

"To provide curative legislation for default judgments in real property matters entered by the clerk of court." Amends GS 1-217.2 to provide for validating of final default judgments, in actions to remove clouds from title to real estate, where entered by clerks of superior courts prior to April 1, 1967 (now, April 1, 1956).

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 221 Burlington realty sale
Introducers: Harris and Long

ALAMANCE
Sent to LOC GOVT

"To amend section 160-59 of the General Statutes of North Carolina so as to exclude the City of Burlington as to the sale of one particularly described parcel of real property." Provides for private sale by City Council of Burlington of described realty upon terms approved by council. Empowers council to convey with full covenants of warranty.

H 224 Primary elections
Introducers: Messer and L.B. Ramsey

YANCEY
Sent to LOC GOVT

"To make the primary laws applicable to Yancey County." Makes primary law provisions of GS Ch 163 (election laws) applicable to Yancey County and all of its political parties for purposes of nominating candidates. Specifically repeals Ch 439 (applies primary elections laws to County and to Democratic and Republican parties in county) and Ch 442 (same, as to Democratic nominations for 30th Senatorial District, including Yancey) of 1955 Session Laws.

SENATE AND HOUSE

CALENDAR ACTION

FEB.15,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 70 ACCIDENT REPORTS; FILING TIME. H-REC. FROM SENATE; H-REF TO COM ON HY SAFTY.
S. 145 (J.RES.) MEMORIALIZING ROBERT H. PARKER. S-PASSED 2ND & 3RD READING.
H. 102 HOUSING AUTHORITY BOUNDARIES. H-PLACED ON CAL FOR FEB 16.
H. 158 HIDE-AND-EARS SHOW. H-PASSED 2ND & 3RD READING.
H. 159 PERSONALIZED PLATES-PICKUPS-2. S-REC FROM HOUSE; S-REF TO COM ON ROADS.
H. 160 NO EXEMPTION-MEAT INSPECTION ACT. H-PLACED ON CAL FOR FEB 17.
H. 163 AGE 18 MEDICAL TREATMENT CONSENT. S-REC FROM HOUSE; S-REF TO COM ON PUB HLTH.

LOCAL BILLS

- S. 71 (BURKE) CARBON CITY INCORPORATION. S-REPTD FAV AS AMENDED.
S. 91 (ONSLow) ONSLOW JUNK DEALERS. S-REPTD FAV.
S. 108 (WAKE) WAKE BICENTENNIAL COMM'N FUNDING. S-REPTD FAV.
H. 30 (WAYNE) DOG LAW EXEMPTION. S-REPTD FAV AS AMENDED.
H. 31 (WAYNE) COUNTY BOND FEES LIMIT.(2/11) S-REC FROM HOUSE; S-REF TO COM ON COURTS.
H. 127 (GUILFORD) AMEND GREENSBORO CHARTER.(2/12) H-PASSED 3RD. READING.

Next sessions of Senate and House: 12 noon, Tuesday, February 16, 1971.

#

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

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BULLETIN NO. 25

-165-

TUESDAY, FEBRUARY 16, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 146 (Joint Resolution) Inviting Rev. Billy Graham
Introducer: Moore

MISC RES
Passed three readings
and sent to House

"Inviting the Reverend Billy Graham to address a joint session of the General Assembly at 11:00 A.M., Thursday, February 18, 1971." As title indicates.

S 147 County Sales and Use Tax Act
Introducer: McGeachy

GS 153, 105
Sent to FINANCE

"To enable each county to adopt and levy a sales and use tax of 1% upon certain taxable transactions." Adds new GS 153-65.1 through 153-65.12, "County Sales and Use Tax Act". Requires special election on 1% local sales and use tax to be called by county board of elections upon written request of county comm'rs, which may initiate such request on its own authority and shall initiate such request upon receipt of petition signed by qualified voters of county equal to 15% of votes cast by county in last preceding Governor's election. Provides for administration of elections, notice, form of ballot and fixing of date for election; provides similar procedures for elections on repeal of tax in any county. Additionally, authorizes county comm'rs by ordinance without election to impose (and terminate) the same tax with same effect; revenues from tax, however initiated, to be expended for "necessary expenses" only. Provides that tax, if effective, to be effected on specified monthly dates. Tax to be imposed on same items as state taxes under GS 105-164.4(1-4). Provides for exemption from tax, on items of tangible personal property delivered outside the county, and for credit where local sales or use tax paid in another jurisdiction. Provides exemptions of GS 105-164.13 and refund provisions of GS 105-164.14 shall apply to this tax. Requires Comm'r of Revenue to collect tax if requested by county and empowers him in such case to promulgate rules and regulations for administration of Act. Requires retailers in county, if tax imposed, to follow bracket tax schedule set out in Act. Provides net proceeds collected in each taxing county (with detailed provision of what is "net") to be distributed quarterly to or by county and to municipalities therein on a per capita basis (according to population estimates certified by Director of Administration to Comm'r of Revenue). Provides Act not to apply to building materials purchased to fulfill lump sum or unit price contract entered or awarded or bidden upon before effective date of tax imposed by a taxing county. Incorporates by reference definitions of GS 105-164.3, and State Sales Tax remedies and penalties. See similar bill S 81 (Iden. H 114).

HOUSE

H 226 Filling public officer's vacancy
Introducer: Hightower

GS 128
Sent to ELECTION

"To amend Chapter 128 of the General Statutes to provide a procedure for filling



vacancies in public office for failure to qualify." Adds new GS 128-7.1 requiring newly elected officers to qualify by taking oath. Provides that death or resignation before term begins, or failure to qualify, creates vacancy in office, to be filled by appointment by the authority having power to fill vacancies otherwise occurring. Requires person filling vacancy be of same political party as person causing vacancy, unless election was non-partisan. Provides appropriate county, district or State executive committee (as set forth in GS 163-114) may recommend persons to fill vacancy, but recommendations not binding on the appointing authority.

H 229 Preliminary hearing (Iden. S 141)
Introducer: J. Ramsey

GS 15
Sent to JUDIC 2

"To modify the criminal procedure to provide for a preliminary hearing." Identical with S 141 digested in Bulletin No. 24, p. 160.

H 230 House apportionment
Introducers: J. Ramsey and Patton

GS 120
Sent to ST LEGIS

"To apportion the districts of the North Carolina House of Representatives." Identical with present GS 120-2, setting forth number of districts and number of Representatives from each district.

H 231 Obscenity Act-2 (Iden. S 136)
Introducer: High

GS 14
Sent to JUDIC 2

"Prohibiting dissemination of certain forms of obscenity." Identical to S 136, digested in Bulletin No. 24, p. 159.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 227 Jamesville ad valorem tax
Introducer: Everett

MARTIN
Sent to LOC GOVT

"To amend Chapter 596, Session Laws of 1945, as amended, the same being a part of the charter of the Town of Jamesville, relating to the ad valorem taxing power of the town." Amends Sec. 18 of SL 1945, Ch. 596 (charter of Town of Jamesville) to permit collection of annual ad valorem tax up to \$1.50 per \$100 valuation (now, \$1.00) for general purposes. Permits additional annual ad valorem tax sufficient to pay principal and interest on all bonds and notes of town as they become due.

H 228 Incorporating Woodfin
Introducer: DeBruhl

BUNCOMBE
Sent to LOC GOVT

"To incorporate the Town of Woodfin in Buncombe County." Incorporates Woodfin. Charter sets out corporate powers, corporate boundaries, provides for Mayor and Board of Aldermen (names officers to serve until initial election). Voters elect 7 aldermen for 4-yr terms (initially staggered) who elect mayor from own members for 2-yr term. Town board shall appoint town attorney and town clerk and may appoint town tax collector, town accountant, and other employees deemed necessary. Authorizes issuance of bonds and municipal levies. (Town may obtain from Buncombe County record of property within corporate limits listed for taxation as of January 1, 1971.) Makes GS 130-126, relating to election and terms of sanitary district boards, applicable to Woodfin Sanitary Water and Sewer District. (Current board serves until May, 1971 election when 3 trustees shall be elected to serve until Nov. 1972 when GS 130-126 takes full effect.)

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 71 Carbon City incorporation (digested in Bulletin No.12,p. 80)

Amendments adopted in Senate 2/16/71, as follows: (1) more accurate description of municipal boundaries; (2) prohibition against reducing mayor's salary during his term of office; (3) change of date of first regular elections (after initial elections) from 1971 to 1973; (4) change of date of next following municipal elections from 1973 to 1975; (5) change from requirement that town attorney attend all meetings of board of commissioners to requirement that he attend all their meetings "as requested by the Board."

HOUSE BILLS

H 30 Dog law exemption (digested in Bulletin No. 4, p. 23)

Amendment adopted in Senate 2/16/71 adds Onslow and Pitt Counties as exempted counties.

SENATE AND HOUSE

CALENDAR ACTION

FEB.16,1971

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- S. 68 DRIVER LICENSE-OLD CONVICTIONS. H-REPTD FAV.
 S. 87 FIREMEN'S DEATH BENEFIT. S-REPTD FAV AS AMENDED.
 S. 89 FIREMEN'S PENSION AFTER 20 YEARS. S-REPTD FAV; S-RE-REF COM ON APPROPN.
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 H. 44 OUT-OF-STATE DIVORCE PROCESS.(2/02, 2/03) S-PLACED ON CAL FOR FEB 18.
 #H. 74 RECOVERY OF DEPOSITION COSTS. H-REPTD UNFAV.
 H. 75 FIRE INS. STAT. OF LIMITATIONS. S-REPTD FAV.
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 #H. 106 VALIDATING CLERKS' CERTIFICATES. RATIFIED CH. 11.
 #H. 122 NO BOND-ANTIQUE CARS. H-REPTD UNFAV.
 H. 129 STATE BAR FEES OF ATTORNEYS. S-REPTD FAV.
 H. 130 STATE BAR COUNCIL-TRAVEL EXPENSES. S-REPTD FAV.
 H. 136 SEALS OMITTED FROM DEEDS. S-REPTD FAV.
 H. 140 GS 30-3 TECHNICAL CHANGE. S-REPTD FAV.
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 S. 71 (BURKE) CARBON CITY INCORPORATION.(2/16) S-COM AMEND ADOPTED.
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Next sessions of Senate and House: 12 noon, Wednesday, February 17, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
P. O. BOX 7294, RALEIGH, N. C.
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BULLETIN NO. 25

-165-

TUESDAY, FEBRUARY 16, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 146 (Joint Resolution) Inviting Rev. Billy Graham
Introducer: Moore

MISC RES
Passed three readings
and sent to House

"Inviting the Reverend Billy Graham to address a joint session of the General Assembly at 11:00 A.M., Thursday, February 18, 1971." As title indicates.

S 147 County Sales and Use Tax Act
Introducer: McGeachy

GS 153, 105
Sent to FINANCE

"To enable each county to adopt and levy a sales and use tax of 1% upon certain taxable transactions." Adds new GS 153-65.1 through 153-65.12, "County Sales and Use Tax Act". Requires special election on 1% local sales and use tax to be called by county board of elections upon written request of county comm'rs, which may initiate such request on its own authority and shall initiate such request upon receipt of petition signed by qualified voters of county equal to 15% of votes cast by county in last preceding Governor's election. Provides for administration of elections, notice, form of ballot and fixing of date for election; provides similar procedures for elections on repeal of tax in any county. Additionally, authorizes county comm'rs by ordinance without election to impose (and terminate) the same tax with same effect; revenues from tax, however initiated, to be expended for "necessary expenses" only. Provides that tax, if effective, to be effected on specified monthly dates. Tax to be imposed on same items as state taxes under GS 105-164.4(1-4). Provides for exemption from tax, on items of tangible personal property delivered outside the county, and for credit where local sales or use tax paid in another jurisdiction. Provides exemptions of GS 105-164.13 and refund provisions of GS 105-164.14 shall apply to this tax. Requires Comm'r of Revenue to collect tax if requested by county and empowers him in such case to promulgate rules and regulations for administration of Act. Requires retailers in county, if tax imposed, to follow bracket tax schedule set out in Act. Provides net proceeds collected in each taxing county (with detailed provision of what is "net") to be distributed quarterly to or by county and to municipalities therein on a per capita basis (according to population estimates certified by Director of Administration to Comm'r of Revenue). Provides Act not to apply to building materials purchased to fulfill lump sum or unit price contract entered or awarded or bidden upon before effective date of tax imposed by a taxing county. Incorporates by reference definitions of GS 105-164.3, and State Sales Tax remedies and penalties. See similar bill S 81 (Iden. H 114).

HOUSE

H 226 Filling public officer's vacancy
Introducer: Hightower

GS 128
Sent to ELECTION

"To amend Chapter 128 of the General Statutes to provide a procedure for filling



vacancies in public office for failure to qualify." Adds new GS 128-7.1 requiring newly elected officers to qualify by taking oath. Provides that death or resignation before term begins, or failure to qualify, creates vacancy in office, to be filled by appointment by the authority having power to fill vacancies otherwise occurring. Requires person filling vacancy be of same political party as person causing vacancy, unless election was non-partisan. Provides appropriate county, district or State executive committee (as set forth in GS 163-114) may recommend persons to fill vacancy, but recommendations not binding on the appointing authority.

H 229 Preliminary hearing (Iden. S 141)
Introducer: J. Ramsey

GS 15
Sent to JUDIC 2

"To modify the criminal procedure to provide for a preliminary hearing." Identical with S 141 digested in Bulletin No. 24, p. 160.

H 230 House apportionment
Introducers: J. Ramsey and Patton

GS 120
Sent to ST LEGIS

"To apportion the districts of the North Carolina House of Representatives." Identical with present GS 120-2, setting forth number of districts and number of Representatives from each district.

H 231 Obscenity Act-2 (Iden. S 136)
Introducer: High

GS 14
Sent to JUDIC 2

"Prohibiting dissemination of certain forms of obscenity." Identical to S 136, digested in Bulletin No. 24, p. 159.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

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Introducer: Everett

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Introducer: DeBruhl

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BULLETIN NO. 26

-171-

WEDNESDAY, FEBRUARY 17, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 148 Naming State buildings (Iden. H 240)
Introducer: Futrell

GS 129
Sent to ST GOVT

"To amend Article 6, Chapter 129 of the North Carolina General Statutes to authorize the North Carolina Capital Planning Commission to name State Government buildings in the City of Raleigh and its environs." Identical to H 240, digested in the House section of today's Bulletin.

S 149 Tuition aid-medical students-2
Introducer: Burney

APPROPRIATION, GS 116
Sent to APPROPN

"To increase the financial assistance provided for the education of North Carolinians at Meharry Medical College." Appropriates to State Board of Higher Education from General Fund \$18,750 for each of fiscal years 1971-72 and 1972-73, funds to be used for education of physicians and dentists at Meharry Medical College, supplementing State's participation through Southern Regional Education Board. Disbursements to extent of fund to be made in amount of \$750 for each student, to be credited to tuition; disbursements to be on certification of numbers of NC residents enrolled 11/1/71 and 11/1/72. Fiscal year 1971-72 funds not expended available for expenditure in 1972-73. Instructs Board to determine which students are residents of NC, to insure that funds are used directly for medical or dental instruction, and to make other regulations deemed necessary. Effective July 1, 1971. See also H 96, Bulletin No. 12, p. 74.

S 150 ABC sale sticker-2
Introducer: Combs

GS 18
Sent to ABC

"To amend Chapter 18 of the General Statutes so as to require certain information to be affixed to each bottle of alcoholic beverages sold in ABC stores." Adds new GS 18-46.1 prohibiting sales at ABC stores unless each bottle has sticker attached to it giving the purchase price and the name of the county, and directing State ABC Board to adopt implementing regulations. Makes it a misdemeanor (punishable by a fine, up to \$500, imprisonment, up to 90 days, or both) to buy or sell intoxicating beverages at ABC store without that sticker, or to remove the sticker. Effective Jan. 1, 1973. See also H 149, digested in Bulletin No. 17, p. 110.

S 151 Revenue notes-higher education
Introducer: McGeachy

GS 116
Sent to HIGHR ED

"To amend G.S. 116-176 and G.S. 116-191 so as to authorize the issuance of revenue notes in lieu of revenue bonds with respect to certain higher educational institution building programs." As title indicates, permits negotiation of note with acceptable bank or trust company (in lieu of issuance of bonds) to finance buildings and other facilities necessary for student housing or other student activities.



S 152 (Joint Resolution) Legislative electronic voting MISC RES, STUDY
(Iden. H 237) Sent to ST GOVT
Introducer: Strickland

"Relating to the installation of electronic voting units in the General Assembly."
As title indicates, establishes a joint study committee made up of three senators appointed by Lieutenant Governor and three Representatives appointed by Speaker of the House: (1) to study need for electronic voting units in General Assembly; (2) to make recommendation for purchase of electronic voting units; (3) to recommend manner for providing a complete journal through electronic voting device; (4) to study and recommend rule changes necessitated by such units; (5) to recommend a time when such units should be installed, if advisable. Committee to make specific recommendations no later than May 1, 1971.

S 153	Governor's veto power	CONSTITUTION
	Introducer: Joyner	Sent to CONSTITUTN

"To amend Article III, Section 5, of the Constitution of North Carolina to provide for the approval or veto by the Governor of public bills passed by the General Assembly." Proposes new Subsec. (10) to Art. III, Sec. 5 of new NC Constitution which provides for veto power as follows: Any public bill passed by General Assembly is presented to Governor. If General Assembly is in session, bill becomes law if Gov. either signs or fails to veto it within 15 days. If General Assembly adjourns sine die during said 15 day period, bill becomes law only if Gov. signs it within 30 days after said adjournment. If Gov. does not approve bill, he must veto it and return it to originating House, with his objections, within 15 days; bill must be reconsidered by both Houses, and if 2/3 of members present in each approve it (2/3 to include majority of members elected to that House) Gov.'s veto is overridden. Gov.'s approval or veto to apply to entire bill except line-item veto permitted for appropriation bills. Changes wording of title of Art. III, Sec. 5 to read "Powers and Duties of Governor." Prescribes form of ballot for submission of proposal to voters next general election.

S 154 Notaries' acts validated GS 10
Introducer: Deane Sent to JUDIC 1

"To validate acts of notaries public, in certain instances." Re-enacts present GS 10-12 (validating acts of notaries); does not apply to pending litigation.

HOUSE

H 232	Farm equipment width	GS 20
	Introducers: McFadyen and others	Sent to HY SAFTY

"To increase the width of farm equipment which may be operated on public highways by special permit from fifteen and one-half feet to eighteen feet." Amends GS 20-116(j) to provide that self-propelled grain combines or other farm equipment self-propelled or otherwise driven, that are in excess of 18 feet (now, 15 1/2 feet) in width may be operated on designated public highways only with special permit of Dep't of Motor Vehicles.

H 235 State capital challenges (Iden. S 142) GS 9
Introducer: J. Ramsey Sent to JUDIC 2

"To amend G.S. 9-21(b) to increase from six to nine the peremptory challenges allowed the State in capital cases." Identical with S 142, digested in Bulletin No. 24, p. 161.

H 236 Clarify signals law (Iden. S 144)
Introducer: J. Ramsey

GS 20
Sent to HY SAFTY

"To clarify the law relating to signals on starting, stopping, or turning."
Identical with S 144 digested in Bulletin No. 24, p. 161.

H 237 (Joint Resolution) Legislative electronic voting
(Iden. S 152)

MISC RES, STUDY

Introducers: Twiggs and R. Farmer

Sent to RULES

"Relating to the installation of electronic voting units in the General Assembly."
Identical with S 152 digested in the Senate section of today's Bulletin.

H 238 Hospital records as evidence
Introducer: Twiggs

GS 8
Sent to JUDIC 2

"To permit the introduction into evidence of verified copies of patient's hospital records." Adds new GS 8-44.1 providing copies of all patient hospital records to be competent as evidence in any of State's courts if presented with statement of custodian of records verifying them as true copies of original records, statement to be notarized and physically attached to copies. Facsimilies admissible if copies available for inspection. Personal appearance and testimony of custodian not required if notarized statement included with records and delivered by registered mail to clerk of court. Provides act shall not affect GS 8-53 (confidential communications between physician and client).

H 239 Driving license revocation-chases
Introducer: Twiggs

GS 20
Sent to HY SAFTY

"To provide for permanent revocation of driving privilege upon conviction of operating a motor vehicle in excess of 80 miles per hour in an attempt to avoid apprehension by a law enforcement officer." Adds new GS 20-141.4 making it misdemeanor to operate motor vehicle in excess of 80 mph while attempting to flee law enforcement officer; sets punishment at minimum fine of \$500 or imprisonment for not less than 60 days, or both. Adds new subsection (10) to GS 20-17 (mandatory revocation of license by Dep't of Motor Vehicles) to require revocation upon conviction under new GS 20-141.4.

H 240 Naming state buildings (Iden. S 148)
Introducer: Barbee

GS 129
Sent to ST GOVT

"To amend Article 6, Chapter 129 of the North Carolina General Statutes to authorize the North Carolina Capital Planning Commission to name State government buildings in the city of Raleigh and its environs." Adds new GS 129-33(6) to permit the NC Capital Planning Comm'n to name State government building in Raleigh and its environs, except buildings excluded under GS 129-35 (NC State Univ., Dorothea Dix Hospital and Governor Morehead School).

H 241 Day-care facilities-4
Introducer: Beatty

GS 110
Sent to JUDIC 2

"Providing for the fair and equitable regulation and licensing of child day-care centers and promoting the health and safety of children in such centers." With one exception, identical with S 126, digested in Bulletin No. 22, p. 141-142; exception being in composition of Child Day-Care Licensing Board. Provides for Board of eleven members, consisting of following: Comm'rs of Insurance and Social Services, State Health Director and State Sup't of Public Instruction; 4 operators-for-profit of regulated facilities (under S 126, Board to consist of 5 operators-for-profit), 1 operator not-for-profit of regulated facilities, and 2 other citizens (under S 126, Board to have only one other citizen) without pecuniary interest in regulated facilities. (On same subject, see S 10, digested in Bulletin No. 1, p. 3-4; S 72 and H 100 (identical with each other), digested in Bulletin No. 12, p. 77-78; and S 126.)

H 243 1967 self-liquidating project
Introducer: Royall

APPROPRIATION
Sent to APPROPRN

"To amend Chapter 1108 of the 1967 Session Laws to provide change only with respect to a project wholly self-liquidating." Amends Ch. 1108 of 1967 Session Laws (Capital Improvement Appropriation Act) by increasing allowance from \$3400 to amount not to exceed \$4400 per student occupant in Pembroke State College (Pembroke State Univ.) dormitories so that amended Act will read "Dormitories for 200 students -- building \$800,000 (now, \$620,000), equipment \$80,000 (now, \$60,000), total \$880,000 (now, \$680,000), less self-liquidating \$880,000 (now, \$680,000) -0-."

H 244 1969 self-liquidating project
Introducer: Royall

APPROPRIATION
Sent to APPROPRN

"To amend Chapter 755 of the 1969 Session Laws to provide changes only with respect to projects wholly self-liquidating." Amends Ch. 755 of 1969 Session Laws (Capital Improvement Appropriation Act) by increasing allowance from \$3900 to amount not to exceed \$4400 per student occupant in following dormitories so that amended Act will read:

(1) "University of North Carolina at Charlotte - Dormitories for 1,000 students - Building \$4,150,000 (now, \$3,730,000), equipment \$250,000 (now, \$170,000), total \$4,400,000 (now, \$3,900,000), less self-liquidating \$4,400,000 (now, \$3,900,000) -0-."

(2) "Western Carolina University - One 600 Student Dormitory - Building \$2,500,000 (now, \$2,240,000), Equipment \$140,000 (now, \$100,000), total \$2,640,000 (now, \$2,340,000), less self-liquidating \$2,640,000 (now, \$2,340,000) -0-."

(3) "University of North Carolina at Wilmington - One 200 Student Dormitory - Building \$800,000 (now, \$720,000), Equipment \$80,000 (now, \$60,000), total \$880,000 (now, \$780,000), less self-liquidating \$880,000 (now, \$780,000) -0-."

H 245 Human tissue sale
Introducer: Whichard

GS 90, 25
Sent to JUDIC 1

"To declare use of blood and other tissues to be a rendering of services as opposed to sale of goods." Adds new GS 90-220.10 declaring procurement, processing, distribution or use of whole blood, plasma, blood products, blood derivatives and other body tissues or organs that are to be injected, transfused or transplanted into the human body to be service rather than sale. Holds any person engaged in rendering this service to highest degree of care and places burden on such person to show his conduct to be within requisite standard of care. Effective Oct. 1, 1971; applies only to causes of action arising thereafter. (For similar bill, see H 211, digested in Bulletin No. 23, p. 152.)

H 247 Name change, court records
Introducer: S. Johnson

GS 7A
Sent to JUDIC 1

"To provide for the change of the name of the public records of a party in a court proceeding or judgment." Provides name of party in completed or pending judicial proceedings to be changed in records of clerk of superior court upon presentation by licensed attorney to clerk of affidavit that name of party has been changed by marriage or court order. Requires clerk to forward copy of affidavit to clerks of superior courts named by attorney in affidavit wherein copy of any record of his office affecting party named in affidavit has been forwarded under prior order of court or under authority of law. Effective July 1, 1971.

H 248 Discovering debtor's assets
Introducer: S. Johnson

GS 1
Sent to JUDIC 1

judgment debtor's assets. Permits judgment creditor to prepare and serve written interrogatories on judgment debtor within 10 years of date of judgment. Requires debtor to answer, under oath, within 20 days of service and to file copy with clerk of superior court in county of original judgment. Requires copy of answers to be served on creditor pursuant to NC Rules of Civil Procedure. Permits creditor, upon failure of debtor to answer, to petition court for order requiring debtor to either fully answer interrogatories or appear before court and answer. Permits punishment for contempt pursuant to GS 1-368 if debtor disobeys court order. Provides for service by registered or certified mail, return receipt requested, or personal service by authorized personnel. Provides that service is completed on day interrogatories delivered to debtor. Effective July 1, 1971.

H 249 Morehead school annuities
Introducers: S. Johnson and others

GS 115
Sent to ST GOVT

"To authorize the Directors of the Governor Morehead School to purchase annuity contracts for their employees." Authorizes annual contracts between School and its employees for reduction in salary to purchase nonforfeitable annuity or retirement income contract. Sets forth details of contract and administrative matters.

H 250 (Joint resolution) Federal meat inspection
Introducer: Rhyne

MISC RES
Sent to AGRICULT

"Condemning federal interference with states rights in the regulation of meat producers for local consumption and requesting the Attorney General to seek to enjoin enforcement of certain provisions of the Federal Meat Inspection Act." Requests NC Attny Gen'l to seek judicial ruling on constitutionality of certain sections of Act and, if necessary and possible, obtain injunction temporarily prohibiting enforcement of same in NC until court case is terminated. Directs copies of resolution be delivered by registered mail to named Federal and NC officers and officials.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 233 Morehead City street assessments
Introducer: Mason

CARTERET
Sent to LOC GOVT

"Relating to street assessments in the town of Morehead City." Ratifies (1) all prior acts and proceedings in assessing cost of local improvements and in paving streets, and (2) all assessments levied for same.

H 234 Cherokee elections
Introducer: Patton

CHEROKEE
Sent to ELECTION

"To make the primary laws applicable to Cherokee County." Makes GS Ch. 163 applicable to Cherokee County so that candidates for public office are nominated by all political parties by primaries. (Now, Democratic candidates for county offices and for NC House of Representatives are nominated by party conventions, and that Republican candidates for county offices and for NC House of Representatives and NC Senate are nominated by party conventions.)

H 242 Nashville retirement system
Introducers: Fenner, Barbee and Eagles

NASH
Sent to LOC GOVT

"To authorize the Town of Nashville to establish a retirement system or enter into contracts therefor." Authorizes Bd. of Comm'rs to establish and administer retirement system for Nashville employees and officials, or to contract for same, and to expend necessary funds and require payroll deduction of participating officials and employees to help defray costs.

H 246 Stanly fox hunting
Introducer: R. Brown

STANLY
Sent to WILDLIFE

"To make it lawful to take foxes in Stanly County at any time." As title indicates, permits taking of foxes at any time by any means (except by poisons). Specifically repeals Ch. 253, Public-Local Laws of 1937 (fox hunting regulations).

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 87 Firemen's death benefit (digested in Bulletin No. 15, p. 85)

Amendment adopted in Senate 2/17/71 modifies definition of "widow" so as not to require surviving spouse to have lived with deceased fireman for six months preceeding injury as condition of receiving benefits.

S 100 State capital police arrest power (digested in Bulletin No. 7, p. 101)

Amendment adopted in Senate 2/17/71 extends power of arrest to property owned or maintained by the State located in Wake County as well as to same territorial jurisdiction as Raleigh city police. (Originally, only to same territorial jurisdiction as Raleigh city police.)

HOUSE BILLS

None

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 68 DRIVER LICENSE-OLD CONVICTIONS. H-PASSED 2ND READING.
#S. 80 CHEMICAL TEST-LOWER LEVEL. S-REPTD UNFAV.
S. 84 INHERITANCE TAX COLLECTION. S-REPTD FAV.
S. 87 FIREMEN'S DEATH BENEFIT.(2/17) S-COM AMEND ADOPTED; S-RE-REF COM ON APPROPN.
S. 100 STATE CAPITAL POLICE ARREST POWER.(2/17) S-COM AMEND ADOPTED; S-PLACED ON CAL FOR FEB 18.
#S. 103 STATE BAR FEES OF ATTORNEYS. S-POSTPONED INDEF.
#S. 104 STATE BAR COUNCIL-TRAVEL EXPENSES. S-POSTPONED INDEF.
S. 129 OPTIONAL SALES TAX DISTRIBUTION. S-REPTD FAV.
#S. 145 (J.RES.) MEMORIALIZING ROBERT H. PARKER. RATIFIED RES. 18.
#S. 146 (J.RES.) INVITING REV. BILLY GRAHAM. RATIFIED RES. 19.

H. 33 NC ESTUARY STUDY. H-REPTD FAV.
H. 34 STATE AIRPORT AID. H-REPTD FAV.
H. 75 FIRE INS. STAT. OF LIMITATIONS. S-PASSED 2ND & 3RD READING.
H. 102 HOUSING AUTHORITY BOUNDARIES. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
H. 121 NEW ELECTION TIE-BREAKER. H-RE-REF COM ON ELECTION.
H. 129 STATE BAR FEES OF ATTORNEYS. S-PASSED 2ND READING.
H. 130 STATE BAR COUNCIL-TRAVEL EXPENSES. S-PASSED 2ND & 3RD READING.
H. 136 SEALS OMITTED FROM DEEDS. S-PASSED 2ND & 3RD READING.
H. 140 GS 30-3 TECHNICAL CHANGE. S-PASSED 2ND & 3RD READING.
H. 160 NO EXEMPTION-MEAT INSPECTION ACT. H-PASSED 3RD READING.

LOCAL BILLS

- S. 71 (BURKE) CARBON CITY INCORPORATION.(2/16) S-PASSED 2ND READING.
S. 91 (ONslow) ONslow JUNK DEALERS. H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.

H. 30 (WAYNE) DOG LAW EXEMPTION.(2/16) H-REC TO CONCUR IN S AMEND.

Next session of Senate: 10:55 a.m., Thursday, February 18, 1971.

Next session of House: 11:00 a.m., Thursday, February 18, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 27

-179

THURSDAY, FEBRUARY 18, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 155 Tax exemption agreements (Iden. H 253)
Introducer: Rauch

GS 105
Sent to FINANCE

"Amending the individual income tax act so as to allow a wife to claim her husband's two thousand dollar personal exemption by agreement with him." Identical with H 253, digested in the House section of today's Bulletin.

S 156 Human tissue sale (Iden. H 245)
Introducers: Strickland and Kirby

GS 90, 25
Sent to PUB HLTH

"To declare use of blood and other tissues to be a rendering of services as opposed to a sale of goods." Identical with H 245, digested in Bulletin No. 26, p. 174. (For similar bill, see H 211, digested in Bulletin No. 23, p. 152.)

S 157 (Joint Resolution) Highway Commission-obey law
Introducer: Horton

MISC RES
Sent to ROADS

"Calling upon the State Highway Commission to obey the law." Orders Highway Commission to obey GS 136-12 (reports to General Assembly) and furnish General Assembly with printed detailed report showing construction and maintenance work and cost and advising General Assembly of its reasons for failing to comply with statute.

S 158 Judicial Council repeal (Iden. H 262)
Introducer: Henley

GS 7
Sent to COURTS

"To repeal Article 38 of Chapter 7 of the General Statutes of North Carolina relating to the establishment, terms, membership, and duties of the Judicial Council." Identical with H 262, digested in the House section of today's Bulletin.

S 159 1969 self-liquidating project (Iden. H 244)
Introducer: Henley

APPROPRIATION
Sent to APPROPN

"To amend Chapter 755 of the 1969 Session Laws to provide changes only with respect to projects wholly self-liquidating." Identical with H 244, digested in Bulletin No. 26, p. 174.

S 160 1967 self-liquidating project (Iden. H 243)
Introducer: Henley

APPROPRIATION
Sent to APPROPN

"To amend Chapter 1108 of the 1967 Session Laws to provide change only with respect to a project wholly self-liquidating." Identical with H 243, digested in Bulletin No. 26, p. 174.



S 161 Capitol restoration contracts
Introducer: McGeachy

GS 143
Sent to JUDIC 2

"To exempt the Capitol Building restoration project from provisions of Article 8 of Chapter 143 of the General Statutes with respect to receiving of bids and awarding of contracts." As title indicates, makes sections on bidding-awarding contracts inapplicable to restoration project and authorizes Director of Administration to award contracts.

HOUSE

H 253 Tax exemption agreements (Iden. S 155)
Introducer: Short

GS 105
Sent to FINANCE

"Amending the individual income tax act so as to allow a wife to claim her husband's two thousand dollar personal exemption by agreement with him." Amends GS 105-149(a)(2) to provide that married man with wife living with him may claim \$2,000 personal exemption, or may by agreement with wife allow her to claim \$2,000, exemption, in which case he is only entitled to \$1,000 exemption and must file return making such claim regardless of whether he has reportable income for that year. (Now, husband and wife may make such agreement only if he has less than \$2,000 income and she actually furnishes more than one-half the support for him and herself.) Conforms GS 105-149(5) to give \$600.00 exemption for each dependent only to the person claiming the \$2,000 exemption, and conforms GS 105-149(a)(5). Effective January 1, 1971.

H 254 Detention, search of persons
Introducer: Short

GS 15
Sent to JUDIC 2

"To permit the detention and search of persons on premises during the execution of a search warrant." Adds new GS 15-26.1 permitting person executing search warrant to detain, for purposes of searching, any person in the searched place to protect himself from attack or prevent disposal or concealment of any contraband, instrumentality or evidence particularly described in warrant.

H 256 Validate contracts-6% interest
Introducer: Leatherman

GS 157, 160
Sent to BANKS

"To amend Chapters 157 and 160 of the General Statutes so as to authorize housing authorities and redevelopment commissions to issue bonds bearing interest in excess of 6% and to validate certain contracts." Amends GS 157-15 to permit the housing authorities to issue bonds at prices determined by authority (now, interest limited to 6% per annum). Amends GS 160-466(c) to permit redevelopment commissions to authorize bonds bearing interest as commission deems appropriate (now, limited to 6% per annum). Adds new GS 157-32.4 (housing authorities) and 160-474.2 (redevelopment commissions) validating prior contracts at interest rates higher than 6%.

H 257 Corporate deeds validated-1
Introducer: R. Farmer

GS 55
Sent to JUDIC 1

"To validate certain conveyances without seal executed prior to January 1, 1971." Rewrites GS 55-158 to validate certain deeds and conveyances made by any NC corporation prior to January 1, 1971 (now, January 1, 1957) from which corporate seal omitted. Does not apply to pending litigation.

H 258 Corporate deeds validated-2
Introducer: R. Farmer

GS 47
Sent to JUDIC 1

"Amending G.S. 47-71.1, relating to the validation of corporate deeds, so as to validate deeds made prior to January 1, 1971." Rewrites GS 47-71.1 to validate certain corporate deeds and conveyances prior to January 1, 1971 (now, January 1, 1967) from which corporate seal omitted. Does not apply to pending litigation.

H 259 Disabled persons-parking
Introducers: Davis and others

GS 20
Sent to JUDIC 1

"To provide special parking privileges for disabled persons." Adds new GS 20-37.6 permitting handicapped drivers to park for unlimited periods in areas restricted as to length of time parking is permitted. Does not permit parking in areas where stopping, parking or standing of all vehicles is prohibited or where areas are reserved for special types of vehicles. Requires display of distinctive flag issued to handicapped drivers as condition of exercise of privilege. Amends GS 20-37.2 to authorize display of flag while vehicle parked. Amends GS 20-37.4 to make violation of GS 20-37.6 misdemeanor.

H 260 Central School for Deaf (Iden. S 122)
Introducers: Mauney and others

APPROPRIATION, GS 115
Sent to APPROPN

"To incorporate and establish the Central North Carolina School for the Deaf." Identical with S 122, digested in Bulletin No. 22, p. 141.

H 262 Judicial Council repeal (Iden. S 158)
Introducer: Royall

GS 7
Sent to ST GOVT

"To repeal Article 38 of Chapter 7 of the General Statutes of North Carolina relating to the establishment, terms, membership, and duties of the Judicial Department." Repeals GS 7-448 through 7-456, thereby terminating the Judicial Council.

H 263 Juvenile cases-costs
Introducers: F. Farmer and others

GS 7A
Sent to JUDIC 2

"Creating G.S. 7A-304.1 relating to service fees and other costs in juvenile cases." Adds new GS 7A-304.1 making NC liable for (1) fees for service of summonses, petitions, subpoenas and other process served in juvenile cases and (2) costs of maintaining juvenile while confined in local detention home or facility (unless parents ordered to pay same).

H 264 Criminal appeals
Introducers: F. Farmer and others

GS 15
Sent to JUDIC 2

"To amend G.S. 15-183.1 relating to furnishing the solicitor a copy of the evidence and charge upon appeal." Amends GS 15-183.1 to require State (now, county commissioners) to pay cost of transcript and court's charge to jury furnished to solicitor by court reporter when appeal in criminal action is taken to appellate division. (Now, county commissioners required to pay.) Deletes last sentence to conform (now, requires county commissioners of county in which action originated to pay cost when there has been change of venue).

H 265 Historic Murfreesboro
Introducer: Jernigan

APPROPRIATION
Sent to APPROPN

"To appropriate funds for historic preservation in the town of Murfreesboro."
Appropriates \$50,000 to Dep't of Archives and History to purchase, restore, and repair and preserve historic buildings and sites under jurisdiction of town historic commission.

H 266 Agriculture regional lab
Introducers: L. Ramsey and others

APPROPRIATION
Sent to APPROPN

"Appropriating funds to the Department of Agriculture for the erection and operation of a regional diagnostic laboratory for Western North Carolina." As title indicates, appropriates \$100,000 out of general fund for said facility in addition to \$125,000 appropriated by Ch. 1300 of 1969 Session Laws and conditioned on availability of same \$25,000 matching funds. Effective July 1, 1971. (For related bill, see H 92, digested in Bulletin No. 11, p. 69.)

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 251 Beaufort game hunting
Introducers: Roberson and Burrus

BEAUFORT
Sent to WILDLIFE

"To amend Chapter 265 of the Session Laws of 1969 to prohibit the hunting of game animals with dogs between March 1 and 30 days preceding the opening date of the deer season." As title indicates (now, between March 1 and October 15).

H 252 Beaufort education board
Introducers: Roberson and Burrus

BEAUFORT
Sent to EDUCATN

"To establish a board of education of Beaufort County which shall consist of five members to be elected for four year terms." As title indicates; one member elected by county voters from each of following townships: Bath, Chocowinity, Long Acre, Pantego and Richland.

H 255 Winston-Salem beer, wine outlets
Introducers: McKnight, Jemison, Davis and
F. Farmer

FORSYTH
Sent to ABC

"To amend Chapter 728 Session Laws of 1969, relating to beer and wine permits, so as to make it applicable to the City of Winston-Salem." Adds Winston-Salem to coverage of Act (permits municipalities and counties to file written objections with State ABC authorities objecting to issuance of permits).

H 261 Orange board of education
Introducer: C. Smith

ORANGE, GS 115
Sent to LOC GOVT

"To amend G.S. 115-29 relating to per diem of the Orange County Board of Education." Increases per diem of Board members from \$5.00 to maximum of \$25.00 per meeting for first two meetings of any calendar month and to maximum of \$20.00 per meeting thereafter in any calendar month. Increases mileage allowance from \$.07 to maximum of \$.10.

ERRATA

The first lines of the digest of H 248 in Bulletin No. 26, p. 174 were omitted by printing error. It reads: "*To amend Article 31 of Chapter 1, relating to the discovery of assets of a judgment debtor.*" Adds new paragraph to GS 1-352 creating an alternative method of discovering judgment debtor's assets."

S 149, digested in Bulletin 26, p. 171, was sent to EDUCATION, not APPROPRIATION, as reported.

SENATE AND HOUSE

CALENDAR ACTION

FEB.18,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 68 DRIVER LICENSE-OLD CONVICTIONS. H-PASSED 3RD READING.
S. 84 INHERITANCE TAX COLLECTION. S-PASSED 2ND READING.
S. 100 STATE CAPITAL POLICE ARREST POWER.(2/17) S-RE-REF COM JUDIC 2.
S. 113 RIGHT OF WITHDRAWAL-STORED WATER. S-REPTD FAV.
S. 129 OPTIONAL SALES TAX DISTRIBUTION. S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PLACED ON CAL FOR FEB 19.
S. 135 YOUTH ADVOCACY COMMISSION. S-REPTD FAV AS AMENDED.
H. 33 NC ESTUARY STUDY. H-PASSED 2ND & 3RD READING.
H. 34 STATE AIRPORT AID. H-FLOOR AMEND FAILED; H-PASSED 2ND READING.
H. 44 OUT-OF-STATE DIVORCE PROCESS.(2/02, 2/03) S-PASSED 2ND & 3RD READING.
#H. 75 FIRE INS. STAT. OF LIMITATIONS. RATIFIED CH. 12.
H. 129 STATE BAR FEES OF ATTORNEYS. S-PASSED 3RD READING.
#H. 130 STATE BAR COUNCIL-TRAVEL EXPENSES. RATIFIED CH. 13.
#H. 136 SEALS OMITTED FROM DEEDS. RATIFIED CH. 14.
H. 160 NO EXEMPTION-MEAT INSPECTION ACT. S-REC FROM HOUSE; S-REF COM ON AGRICULT.
H. 205 OPTIONAL SALES TAX DISTRIBUTION. H-REPTD FAV.
H. 219 TRANSCRIPT COSTS-STATE APPEALS. H-REPTD FAV AS AMENDED.
H. 225 VALIDATING CLERK'S DEFAULT JT.. H-REPTD FAV.

LOCAL BILLS

- S. 36 (WAYNE) GOLDSBORO CHARTER CHANGES.(2/02) H-REPTD FAV; H-PASSED 2ND READING.
S. 40 (WAYNE) SEVEN SPRINGS ELECTION. H-REPTD FAV AS AMENDED.
S. 71 (BURKE) CARBON CITY INCORPORATION.(2/16) S-PASSED 3RD READING.
S. 77 (GASTON) BESSEMER CITY ELECTIONS. H-REPTD FAV.
H. 28 (WILSON) STANTONSBURG INVESTMENTS. H-REPTD FAV.
H. 29 (ORANGE) HILLSBOROUGH COMMISSION TERMS. S-REPTD FAV.
H. 30 (WAYNE) DOG LAW EXEMPTION.(2/16) H-CONCURRED IN S AMEND.
H. 135 (DARE) DARE ED. BD. LAND TRANSFER. H-REPTD FAV.
H. 139 (RUTHERFORD) FOREST CITY MANAGER ELECTION. H-REPTD FAV.
H. 166 (ORANGE) CHAPEL HILL RESERVE FUND. H-REPTD FAV.

- H. 167 (FORSYTH) TAX LIEN LAW-FORSYTH EXEMPT. H-REPTD FAV.
- H. 168 (VANCE) GARBAGE COLLECTION-VANCE COUNTY. H-REPTD FAV.
- H. 194 (ORANGE) CHAPEL HILL POLICE JURISDICTION. H-REPTD FAV.
- H. 200 (PERQUIMANS) REGISTER-FILING OF PAPERS. H-REPTD FAV.
- H. 201 (WAYNE) COURTHOUSE TAX FUND. H-REPTD FAV.
- H. 207 (MECKLENBURG) CHARLOTTE REFUSE DISPOSAL. H-REPTD FAV.
- H. 208 (MECKLENBURG) CHARLOTTE CIVIL SERVICE. H-REPTD FAV AS
AMENDED.
- H. 224 (YANCEY) PRIMARY ELECTIONS. H-REPTD FAV.

Next sessions of Senate and House: 10:00 a.m., Friday, February 19, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

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BULLETIN NO. 28

-187-

FRIDAY, FEBRUARY 19, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 162 School personnel-salaries (Iden. H 270)
Introducer: Flaherty

APPROPRIATION
Sent to APPROPN

"To provide salaries for professional public school personnel comparable to the national average and to maintain the national average through the biennium 1971-1973." Identical with H 270, digested in House section of today's Bulletin.

S 165 Wound reports by physicians
Introducer: Jones

GS 90
Sent to PUB HLTH

"To amend Chapter 90 of the General Statutes to require certain physicians to report certain wounds, injuries, and illnesses." Bill same as S 6 (original bill digested in Bulletin No. 1, p. 2 and Committee Substitute in Bulletin No. 13, p. 87) except (1) reporting responsibility placed solely on physicians, and (2) applies State-wide instead of to New Hanover County alone (as under Committee Substitute).

S 166 Liquor-by-drink, statewide vote
Introducer: Joyner

GS 18
Sent to ABC

"To provide a statewide election to determine whether liquor by the drink shall be permitted statewide or only in areas where alcoholic beverage control stores are operated, and to establish a system of control." Creates new Article 14 of GS Ch. 18. Authorizes NC Board of Alcoholic Control to grant mixed beverage license (where Article becomes effective) to persons operating restaurants with seating capacity of at least 50 and with gross receipts from sale of full meals and non-alcoholic beverages prepared and served on premises that exceed (after license issued) its gross receipt from sale of alcoholic beverages. Authorizes licensee to serve mixed beverages: in rooms of such restaurants; in rooms of hotel or motel with not less than 40 permanent bedrooms if food and beverage service customarily provided in bedrooms and other private rooms of same; on premises of private clubs serving members and authorized guests, if restaurant located on such premises; and at auditoriums and convention centers. Only restaurants with Grade A health ratings eligible for license, and such license to be automatically suspended when any licensed restaurant loses Grade A rating for 60 consecutive days. Sets forth special regulations concerning food and mixed drink service at auditoriums or convention centers.

Defines following terms: (1) "alcoholic beverage" is any alcoholic beverage containing more than 14% alcohol by volume (including "mixed beverages") and subject to provisions of GS Ch. 18; (2) "auditorium" is auditorium owned and operated by municipal corporation or other governmental unit; (3) "Board" is the State Board of Alcoholic Control; (4) "club" is corporation or association organized and operated for social, recreational, patriotic or fraternal purposes which maintains and operates dining room for sale of full meals prepared on premises to club members and authorized guests, and



has dining room that contains at least 50 seats; (5) "convention center" is any structure generally used for meetings and conventions; (6) "mixed beverage" is drink composed in whole or in part of alcoholic beverage having alcoholic content over 14% by volume and served to individual in quantity less than contained in closed package purchased on premises licensed under this Article; (7) "person" is any natural person, municipal corporation, corporation, partnership, or other governmental unit or form of business organization; (8) "restaurant" is any establishment with regularly operated dining room with at least 50 seats for sale to customers of full meals prepared and served on premises, and includes "clubs"; (9) "store" is ABC store; and (10) "voting unit" is any county, city, or town.

Authorizes Board to adopt implementing rules and regulations. Extends right to serve mixed beverages to all regularly employed persons of licensee. Makes licensees liable for violations of Act or regulations committed by such employees on premises. Permits mixed beverages to be sold only between hours of 12 noon and 12 midnight. Requires licensees to keep records on sale of alcoholic beverages and other items as Board prescribes, open to Board's inspection at all times, and requires licensees to file with Board within 60 days of close of licensees' fiscal year an audit accounting for sale of food and non-alcoholic beverages and for sale of alcoholic beverages and mixed drinks. Requires Board to annually review, by auditor, each licensed establishment to determine that gross receipts of alcoholic beverages are less than for non-alcoholic beverages and full meals; if not less, then license to be revoked and no new license to be granted for such establishment for at least one year. (For this purpose, non-alcoholic beverages not to include mixers served with alcoholic beverages.) Requires Board to refuse to grant, or revoke or suspend licenses for violation of Act or regulations. Affords licensee hearing identical to that specified in GS 18-137.

Prohibits licensees to do as follows: serve unauthorized alcoholic beverages; serve unauthorized persons or in unauthorized places; allow consumption at licensed place in violation of Article; keep at licensed place unauthorized alcoholic beverages; misrepresent brands of alcoholic beverages sold, keep such beverages in non-original containers, fill or re-fill such containers, dilute or otherwise tamper with contents of such containers; serve purchasers different brand of alcoholic beverage than ordered without notice; knowingly remove or obliterate label, mark or stamp on any container offered for sale, or deliver or sell contents of any such container; employ persons under 21 years old to serve mixed beverages; serve mixed beverages to persons under 21 years old; knowingly allow "immoral, lewd, obscene, indecent or profane" conduct, language, literature, pictures or materials on premises; consume or allow employees serving mixed beverages to consume such beverages while on duty; deliver to consumer original bottle of alcoholic beverage purchased under license; be intoxicated while on duty or employ intoxicated persons on premises; conceal any sale or consumption of alcoholic beverages; fail or refuse to make samples of alcoholic beverages available to Board on request or obstruct agents of Board in discharging duties; store alcoholic beverages in unauthorized place or remove same from premises; knowingly employ persons reputed to be a "prostitute, homosexual, panderer, gambler, habitual law violator, person of ill repute, user of or peddler of narcotics, person who drinks to excess, or any 'B-girl'"; keep on premises prohibited gambling or gaming devices or permit gambling on premises; advertise sale of alcoholic beverages on or off premises except as Board permits.

Requires all alcoholic beverages sold under Act to be purchased from store located in local unit where premises located, or from county store if sale of mixed beverages authorized in entire county and premises outside municipal limits. Requires such purchases to be in fifth, quart, or half-gallon sizes, with special sticker affixed to each container. Gives licensee right to transport containers from store to place of business, provided he has permit in his possession.

Subjects all establishments holding license pursuant to this Article to inspection by Board's enforcement officers and requires officers to report violations of Article and Board's rules and regulations to Board. Makes violation of Article or Board's rules and regulations misdemeanor punishable by fine, imprisonment, or both, in discretion of court.

Requires court to revoke license and forbids reissuance for three years after conviction. Provides this Article does not affect any provisions of Article 5 (Fortified Wine Control Act).

Permits sale of mixed beverages only in counties, cities and towns which now or hereafter have ABC stores. Requires elections to be called by board of election of local unit (except where town has no such board, then by governing body of said town) upon petition of at least 15% of unit's registered voters who voted in last election for Governor. Requires board of election or governing body to furnish, upon request, such petition forms. Requires special election in voting unit after 20 days' public notice prior to opening of registration books. Does not require special registration for such special election. Provides that qualified voters to vote on question of permitting sale of mixed alcoholic beverages in voting unit for consumption on premises. Provides that if majority of voters favor allowing sale, Act thereafter becomes applicable to voting unit, but if majority of voters not in favor, Act not applicable. If voting unit which first allows sale of mixed beverages later has majority vote against same, Board shall revoke all licenses under Act within 90 days after declaration of voting results; if any voting unit later ceases to operate ABC stores, Board to revoke all licenses within such unit within 90 days. Prohibits holding of election on day or within 60 days of any biennial election of county or municipal officers, and requires board of election or governing body to set election date. Prohibits calling of election within three years after last such election in voting unit. Provides that establishments in areas annexed to voting units which have adopted Act shall be subject to its provisions without further election. Makes ineligible to participate in election any local unit not employing at least one full time enforcement officer.

Provides for submission to all qualified voters of State at next general election questions of whether: (1) to permit liquor by the drink in all counties of the state; (2) to permit liquor by the drink only in counties and towns that operate ABC stores; (3) or to permit liquor by the drink, upon local election, in counties and towns already operating ABC stores. Requires election to be conducted under laws governing general elections, but prohibits use of absentee ballots. Permits voter to vote on each of the three issues, and requires State Board of Elections to prepare ballots, canvass the vote, and declare the results. If majority vote on all three questions is "no", then this Act is nullity; if majority vote is "yes" on question (1) and majority on (2) and (3) is "no", then liquor by the drink to be legal statewide, and provision of Act providing for local election a nullity; if majority vote on question (2) is "yes" and majority vote on (1) and (3) is "no", then liquor by the drink to be legal in counties and towns already having ABC stores; if majority vote on (3) is "yes", and majority vote on (1) and (2) is "no", local election pursuant to this Article shall be held; if two or more questions receive majority of "yes" votes, then the question receiving highest number of "yes" votes when compared with "yes" votes cast on other questions is declared passed, and other questions declared defeated. Provides that provisions of Act separable; if any provision of Act held invalid, not to affect any other provision. (For similar bill, see H 99, digested in Bulletin No. 12, p. 75.)

S 167 Regional water revolving funds (Iden. H 273)
Introducers: Allen, Folger and McGeachy

APPROPRIATION
Sent to CONS & DEV

"To appropriate funds to the Regional Water Supply Planning Revolving Fund."
Appropriates from General Fund to Regional Water Supply Planning Revolving Fund in Dep't of Administration (proposed to be created by S 169 and H 274, digested in this Bulletin), to aid local governments in financing comprehensive planning and engineering for regional water systems.

S 168 Regional water supply planning (Iden. H 272)
Introducers: Allen, Folger and McGeachy

GS 162A, 130, 143
Sent to CONS & DEV

"To encourage and promote regional water supply systems, and to define the functions of the State Board of Health, the State Department of Water and Air Resources, and the State Department of Administration in relation to planning of regional water supply systems." Adds **new** article to GS Ch. 162A (renamed "Water and Sewer Systems"--now entitled "Water and Sewer Authorities"), which: (a) recites need for planning and development of reliable and adequate regional water systems; (b) describes role of State government as providing a framework for regional planning, and as coordinating and assisting local actions; (c) assigns primary responsibility at State level for raw water sources and transwatershed diversions to Department of Water and Air Resources (DWAR), and primary responsibility for other aspects of regional water system planning to State Board of Health (SBH); (d) creates revolving fund for regional water supply planning (to be administered by Department of Administration, with findings by SBH in consultation with DWAR as to eligibility of localities for advances) from which advances could be made to any local government to finance advance planning and engineering cost for preparation of comprehensive regional water supply plans, subject to repayment from system bonds or other available funds, but to be forgiven if development proves infeasible.

Specifies as conditions of eligibility for advances: (a) area is suitable for regionalization in terms of population, raw water sources, etc.; (b) applicant proposes long range regional water supply comprehensive planning effort and coordination with land use planning; (c) licensed engineer will be employed to prepare plans, which will include benefit-cost analysis as well as necessary background information and blueprints; (d) firm assurance that work will be undertaken if feasible; (e) reasonable prospect of availability of federal or state aid if project depends on it. Defines "regional water supply system" as a public water supply system of a municipality, county, sanitary district or other political subdivision, providing or intended to provide or capable of providing, adequate and safe water supply to a substantial portion of population of a county, or a substantial water service area in a multi-county region. Act to be construed as supplemental to existing powers of SBH, DWAR and NC Utilities Comm'n concerning local and regional water supplies.

S 169 State staff approp.-reg'l water (Iden. H 274)
Introducers: Allen, Folger and McGeachy

APPROPRIATION
Sent to CONS & DEV

"To appropriate funds to the State Board of Health and the Department of Water and Air Resources to implement the Regional Water Supply Planning Act of 1971."
Appropriates from General Fund (a) to State Board of Health \$85,508 for fiscal 1971-72 and \$80,035 for fiscal 1972-73, and (b) to State Dep't of Water & Air Resources \$51,700 for each of two forthcoming fiscal years. (Appropriations are to implement Regional Water Supply Planning Act, S 168 and H 272, digested in this Bulletin.)

S 170 Council of State minutes

Introducer: Allsbrook

GS 147

Sent to ST GOVT

"To require that a journal of all meetings of the Council of State be kept and to permit any member of the Council of State to enter thereon his dissent to any part." As title indicates; adds new subsection to GS 147-13 requiring journal be signed by all members present, be maintained by Governor, and be placed before General Assembly when called for by either House. Effective July 1, 1971.

HOUSE

H 267 Coastal Pl. Res. Station-funds-1

Introducer: Tart

APPROPRIATION

Sent to AGRICULT

"Appropriating funds to the Department of Agriculture for constructing and equipping a sweet potato storage and service building at the Coastal Plain Research Station." As title indicates; \$44,500 in 1971-73 biennium for building to include 6 horticultural crop-curing rooms, preparation lab, cold storage room, work area and toilet facilities. Effective July 1, 1971.

H 268 Coastal Pl. Res. Station-funds-2

Introducer: Tart

APPROPRIATION

Sent to APPROPRN

"Appropriating funds to the Department of Agriculture for an irrigation system for the Coastal Plain Research Station in Sampson County." As title indicates; \$28,00 in 1971-73 biennium for water supply and irrigation system. Effective July 1, 1971.

H 270 School personnel-salaries (Iden. S 162)

Introducer: Love

APPROPRIATION

Sent to APPROPRN

"To provide salaries for professional public school personnel comparable to the national average and to maintain the national average through the biennium 1971-1973." Appropriates \$62,150,000 for fiscal 1971-72 and \$77,855,000 for fiscal 1972-73 to increase salaries of public school personnel as follows: (1) raise salaries of beginning teachers with Class A certificate to \$7,000 for 1971-72 and \$7,500 for 1972-73, for employment of 10 calendar months, with all other salary brackets related to beginning salary; (2) adjust compensation for 12 calendar months of full-time employment for State-paid principals, supervisors, superintendents, and associate and assistant superintendents (salary schedules to be related to beginning teachers' salary); (3) adjust compensation for vocational teachers to maintain approximately present \$1.00 differential above pay of academic teachers.

Provides personnel in special schools offering instruction comparable to State elementary and secondary schools who are paid on salary schedule established by State Bd. of Educ. to be provided salary adjustments described above (funds for this purpose not included in act's appropriation).

Provides for paid vacation of 1.25 days per month, designated holidays, and sick leave of .833 days per month employed.

Appropriated funds are sufficient to pay State's portion of retirement and Social Security contributions and are in addition to recommendations of Advisory Budget Comm'n as included in Budget Current Operations Bill for 1971-73 (H 53, digested with Bulletin No. 7). Effective July 1, 1971.

H 271 \$500 small claim jurisdiction

Introducer: Webster

GS 7A

Sent to COURTS

"To amend G.S. 7A-210 relating to small claim actions in district court so as to increase the jurisdiction from \$300 to \$500." As title indicates. Effective July 1, 1971.

H 272 Regional water supply planning (Iden. S 168)
Introducers: Stevens and others

GS 162A, 130, 143
Sent to WATER

"To encourage and promote regional water supply systems, and to define the functions of the State Board of Health, the State Department of Water and Air Resources and the State Department of Administration in relation to planning of regional water supply systems." Identical with S 168, digested in the Senate section of today's Bulletin.

H 273 Regional water revolving funds (Iden. S 167)
Introducers: Stevens and others

APPROPRIATION
Sent to APPROPN

"To appropriate funds to the Regional Water Supply Planning Revolving Fund." Identical with S 167, digested in the Senate section of today's Bulletin.

H 274 State staff approp.-reg'l water (Iden. S 169)
Introducers: Stevens and others

APPROPRIATION
Sent to APPROPN

"To appropriate funds to the State Board of Health and the Department of Water and Air Resources to implement the Regional Water Supply Planning Act of 1971." Identical with S 169, digested in the Senate section of today's Bulletin.

H 275 Tax classification-water companies
Introducers: Hege and others

GS 105
Sent to CONS&DEV

"To classify and designate the real and personal property of certain non-profit water and non-profit sewer corporations as a special class of property under Article V of the North Carolina Constitution and to exclude said property from the property tax base for ad valorem purposes." Adds new GS 105-281.1 designating real and personal property of non-profit water and sewer corps., financed by US, NC or agency or political subdivision thereof, as special class of property under Article V of NC Constitution, thereby not subject to listing, assessment or appraisal for taxing. Amends GS 105-355 by exempting "waterworks company" from requirement of filing statement with Board of Assessment. Effective Jan. 1, 1971.

H 276 Tax exemption-water companies
Introducers: Hege and Snyder

GS 105
Sent to CONS&DEV

To classify and designate the real and personal property of certain non-profit water and non-profit sewer corporations as a special class of property under Article V of the North Carolina Constitution and to exclude said property from the property tax base for ad valorem tax purposes under proposed ad valorem act." Adds new GS 105-275(5) as title indicates as to non-profit water and sewer corporations financed by the US, the State of NC, or any agency or political subdivision thereof. Amends GS 105-333(1) by deleting reference to "water company" as being a public service company for purposes of GS Ch. 105, Art. 23. GS 105-333(1), as proposed to be amended, to be added by proposed H 169, digested in Bulletin No. 20, p. 129. Effective January 1, 1971.

LOCAL BILLS INTRODUCED

SENATE

S 163 Beaufort bond authorization
Introducer: Reed

CARTERET
Sent to LOC GOVT

"Permitting the Town of Beaufort to authorize bonds for redevelopment purposes in the maximum aggregate principal amount of two hundred fifty thousand dollars

notwithstanding the limitation of debt in the Municipal Finance Act, 1921." As title indicates, but bond authorization not subject to GS 160-383 (sworn statement of indebtedness, limitations on passage of ordinance).

S 164 Guilford school board
Introducer: McLendon

GUILFORD
Sent to EDUCATN

"To amend G.S. 115-25 to provide that one city school teacher may serve on the Guilford County board of education." As title indicates.

HOUSE

H 269 Rockingham ed. bd. pay
Introducer: McMichael

ROCKINGHAM
Sent to LOC GOVT

"To increase the per diem compensation for the chairman and members of the Rockingham County board of education." Amends Ch. 655, 1957 Session Laws, by increasing pay of chairman from \$15.00 to \$35.00 per diem and pay of members from \$10.00 to \$25.00 per diem.

H 277 Havelock comm'rs elections
Introducers: Barker, Bright and Mason

PAMLICO
' Sent to LOC GOVT

"To amend Chapter 952 of the Session Laws of 1959 to provide for four year overlapping terms of office for the commissioners of the Town of Havelock, and to provide that all commissioners so elected, shall take office on the first Monday in June, after the bi-annual election." As title indicates.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 40 Seven Springs elections (digested in Bulletin No. 8, p. 49).

Amendments adopted in House 2/19/71 (a) change date of regular municipal election from first Monday in May, 1973 to same day in 1971 and (b) change effective date of Act from July 1, 1971 to date of ratification.

S 42 Congressional districts (digested in Bulletin No. 8, p. 47).

Committee substitute adopted in Senate 2/19/71 rewrites GS 163-201 (establishing Congressional districts) as follows:

District 1: Beaufort, Bertie, Camden, Carteret, Chowan, Craven, Currituck, Dare, Gates, Greene, Hertford, Hyde, Jones, Lenoir, Martin, Pamlico, Pasquotank, Perquimans, Pitt, Tyrrell and Washington.

District 2: Caswell, Edgecombe, Franklin, Granville, Halifax, Nash, Northampton, Orange, Person, Vance, Warren and Wilson.

District 3: Bladen, Duplin, Harnett, Johnston, Lee, Onslow, Pender, Sampson and Wayne.

District 4: Chatham, Durham, Randolph and Wake.

District 5: Alleghany, Ashe, Davidson, Forsyth, Stokes, Surry and Wilkes.

District 6: Alamance, Guilford and Rockingham.

District 7: Brunswick, Columbus, Cumberland, Hoke, New Hanover and Robeson.

District 8: Anson, Cabarrus, Davie, Montgomery, Moore, Richmond, Rowan, Scotland, Stanly, Union and Yadkin.

District 9: Iredell, Lincoln and Mecklenburg.

District 10: Alexander, Burke, Caldwell, Catawba, Cleveland, Gaston and Watauga.
District 11: Avery, Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania and Yancey.

S 81 Local government sales tax act (Iden. H 114, digested in Bulletin No. 13, p. 83)

Committee substitute adopted in Senate 2/19/71. Adds new GS 105-463 through 105-474, "Local Government Sales and Use Tax Act". Requires special election on 1% local sales and use tax to be called by county board of elections upon written request of county comm'rs or receipt of petition signed by qualified voters of county equal to 15% of votes cast by county in last preceding Governor's election. Provides for administration of elections, notice, form of ballot and fixing of date for election; provides similar procedures for elections on repeal of tax in any county. If election is favorable, comm'rs may levy 1% local sales and use tax. (Substitute bill makes some procedural changes concerning elections, as to registration dates, etc.) Additionally, authorizes county comm'rs by resolution without election to impose (and terminate) the same tax with same effect, except that revenues therefrom to be expended for "necessary expenses" only. (Substitute bill specifies 10 days' notice and public hearing before adoption of resolution.) Provides that tax, if effective, to be effected on specified monthly dates. Tax to be imposed on same items as state taxes under GS 105-164.4(1-4). Provides for exemption from tax, on items of tangible personal property delivered outside the county, and for credit where local sales or use tax paid in another jurisdiction. Provides exemptions of GS 105-164.13 and refund provisions of GS 105-164.14 shall apply to this tax. Requires Comm'r of Revenue to collect tax (unless county notifies him it will administer tax) and empowers him in such case to promulgate rules and regulations for administration of Act. Requires retailers in county, if tax imposed, to follow bracket tax schedule set out in Act. (Substitute eliminates \$10 maximum rate on one sale.) Provides net proceeds collected in each taxing county (with detailed provision of what is "net") to be distributed quarterly to or by county and to municipalities therein on a per capita basis according to population estimates certified by Director of Administration to Comm'r of Revenue, or divided between county and its municipalities in proportion to total ad valorem taxes levied by each during preceding fiscal year with provisions for sharing with special districts. (Substitute bill adds alternative of dividing tax proceeds in proportion to ad valorem taxes, and authorizes county comm'rs to select either alternative.) Provides Act not to apply to building materials purchased to fulfill lump sum or unit price contract entered or awarded or bidden upon before effective date of tax imposed by a taxing county. Incorporates by reference definitions of GS 105-164.3, and State Sales Tax remedies and penalties.

S 129 Optional sales tax distribution (Iden. H 205, digested in Bulletin No. 23, p. 152)

Amendment adopted in House 2/19/71 changes proposed section 2(a)(1) by making it applicable to every retailer who shall have paid any local option sales and use taxes to Comm'r of Revenue (previously, applicable only to retailers who shall have "collected" and paid tax).

S 135 Youth Advocacy Commission (Iden. H 203, digested in Bulletin No. 23, p. 151).

Amendment adopted in Senate 2/19/71 amends proposed GS 110-71 (powers and duties of Comm'n) by adding to subsection (8) requirement that Comm'n provide information to public concerning its activities and findings.

HOUSE BILLS

H 208 Charlotte civil service (digested in Bulletin No. 23, p. 154).

Two amendments adopted in House 2/19/71 making technical changes only.

H 219 Transcript costs-State appeals (digested in Bulletin No. 24, p. 161).

Amendment adopted in House 2/19/71 making technical changes only.

SENATE AND HOUSE

CALENDAR ACTION

FEB.19,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 42 CONGRESSIONAL DISTRICTS.(2/19) S-REPTD FAV COM SUBSTITUTE;
S-COM SUBSTITUTE ADOPTED; S-PLACED ON CAL FOR FEB 22.
#S. 68 DRIVER LICENSE-OLD CONVICTIONS. RATIFIED CH. 15.
S. 81 LOCAL GOVERNMENT SALES TAX ACT.(2/19) S-REPTD FAV COM
SUBSTITUTE; S-COM SUBSTITUTE ADOPTED; S-PLACED ON CAL FOR
FEB 23.
S. 84 INHERITANCE TAX COLLECTION. S-PASSED 3RD READING.
S. 113 RIGHT OF WITHDRAWAL-STORED WATER. S-PASSED 2ND & 3RD READING.
S. 129 OPTIONAL SALES TAX DISTRIBUTION.(2/19) H-FLOOR AMEND ADOPTED;
H-PASSED 2ND & 3RD READING.
S. 135 YOUTH ADVOCACY COMMISSION.(2/19) S-COM AMEND ADOPTED; S-RE-REF
TO APPROPN.
S. 149 TUITION AID-MEDICAL STUDENTS-2. S-REPTD FAV; S-RE-REF TO
APPROPRN.
H. 33 NC ESTUARY STUDY. S-REC FROM HOUSE; S-REF TO CONS&DEV.
H. 34 STATE AIRPORT AID. H-PLACED ON CAL FOR FEB 24.
#H. 44 OUT-OF-STATE DIVORCE PROCESS.(2/02, 2/03) RATIFIED CH. 17.
#H. 129 STATE BAR FEES OF ATTORNEYS. RATIFIED CH. 18.
#H. 140 GS 30-3 TECHNICAL CHANGE. RATIFIED CH. 19.
#H. 205 OPTIONAL SALES TAX DISTRIBUTION. H-POSTPONED INDEF.
H. 219 TRANSCRIPT COSTS-STATE APPEALS.(2/19) H-COM AMENDS ADOPTED;
H-PASSED 2ND READING.
H. 225 VALIDATING CLERK'S DEFAULT JT.. H-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 36 (WAYNE) GOLDSBORO CHARTER CHANGES.(2/02) H-PASSED 3RD
READING.
S. 40 (WAYNE) SEVEN SPRINGS ELECTION.(2/19) H-COM AMENDS ADOPTED;
H-PASSED 2ND & 3RD READING.
S. 71 (BURKE) CARBON CITY INCORPORATION.(2/16) H-REC FROM SENATE;
H-REF TO COM ON LOC GOVT.
S. 77 (GASTON) BESSEMER CITY ELECTIONS. H-PASSED 2ND & 3RD READING.
H. 14 (TYRRELL) COLUMBIA SPENDING PROCEDURE. H-REPTD FAV AS
AMENDED.
H. 28 (WILSON) STANTONSBURG INVESTMENTS. H-PASSED 2ND & 3RD
READING.

- H. 29 (ORANGE) HILLSBOROUGH COMMISSION TERMS. S-PASSED 2ND & 3RD READING.
- #H. 30 (ONslow, PITT, WAYNE) DOG LAW EXEMPTION.(2/16) RATIFIED CH. 16.
- H. 135 (DARE) DARE ED. BD. LAND TRANSFER. H-PASSED 2ND & 3RD READING.
- H. 139 (RUTHERFORD) FOREST CITY MANAGER ELECTION. H-PASSED 2ND & 3RD READING.
- H. 161 (HARNETT) ANGIER LIQUOR STORE ALLOCATION. H-REPTD FAV AS AMENDED.
- H. 166 (ORANGE) CHAPEL HILL RESERVE FUND. H-PASSED 2ND READING.
- H. 167 (FORSYTH) TAX LIEN LAW-FORSYTH EXEMPT. H-PASSED 2ND & 3RD READING.
- H. 168 (VANCE) GARBAGE COLLECTION-VANCE COUNTY. H-PASSED 2ND & 3RD READING.
- H. 194 (ORANGE) CHAPEL HILL POLICE JURISDICTION. H-PASSED 2ND & 3RD READING.
- H. 200 (PERQUIMANS) REGISTER-FILING OF PAPERS. H-PASSED 2ND & 3RD READING.
- H. 201 (WAYNE) COURTHOUSE TAX FUND. H-PASSED 2ND & 3RD READING.
- H. 207 (MECKLENBURG) CHARLOTTE REFUSE DISPOSAL. H-PASSED 2ND & 3RD READING.
- H. 208 (MECKLENBURG) CHARLOTTE CIVIL SERVICE.(2/19) H-COM AMENDS ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 218 (DAVIDSON) LEXINGTON ELECTIONS. H-REPTD FAV COM SUBSTITUTE.
- H. 224 (YANCEY) PRIMARY ELECTIONS. H-PASSED 2ND & 3RD READING.

Next sessions of Senate and House: 9:30 a.m., Saturday, February 20, 1971, for the consideration of local bills only.

8:00 p.m., Monday, February 22, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

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BULLETIN NO. 29

-199-

MONDAY, FEBRUARY 22, 1971

Note: The Senate convened at 9:30 a.m. and the House at 10:00 a.m. on Saturday, February 20, 1971, for consideration of local bills only. No bills were introduced and no calendar action was taken in either Chamber.

PUBLIC BILLS INTRODUCED

SENATE

None

HOUSE

H 279 \$15,000 Dist. Ct. civil cases
Introducer: Arnold

GS 7A
Sent to COURTS

"To increase the civil jurisdiction of the District Courts to \$15,000."
Amends GS 7A-243 to increase maximum civil jurisdiction of District Court to \$15,000 (now \$5,000), and similarly increase Superior Court minimum civil jurisdiction. Effective Jan. 1, 1972, but not applicable to actions then pending in Superior Court.

LOCAL BILLS INTRODUCED

SENATE

S 171 Winston-Salem personalty sale
Introducer: Bagnal

FORSYTH
Sent to LOC GOVT

"Amending the Charter of the City of Winston-Salem." Amends Section 110, Ch. 232, Private Laws of 1927 (City Charter) by requiring that notice of sale of personalty be given at least one week before sale (now, 20 to 10 days) and by providing that confirmation of sale, or refusal to confirm sale, can be made by mayor, mayor pro tem or city manager (now, only mayor can confirm or refuse to confirm).

HOUSE

H 278 Special deputy sheriffs
Introducer: Soles

COLUMBUS
Sent to LOC GOVT

"To authorize the sheriff of Columbus County, with approval of the county commissioners, to appoint special deputy sheriffs for private employment."
Authorizes sheriff, with approval of board of commissioners, to appoint special deputy sheriffs as security officers for requesting county agencies, educational institutions, hospitals, persons, firms, or corporations. Specifies conditions



of application and appointment. Special deputies not to be considered county employees and county not liable for their acts, but institutions securing services of such persons to be civilly liable for acts in line of duty. Each deputy appointed must file \$2,500 bond. Special deputies to have arrest powers of municipal or county police officers, but only on property described in application owned or in control of deputy's employer, or upon other premises while in hot pursuit. Compensation to be paid by deputies' employers.

H 280 Madison retirement
Introducer: Webster

ROCKINGHAM
Sent to LOC GOVT

"To authorize the Town of Madison to establish a retirement system for municipal officials and employees." As title indicates. Sets forth details of administration and operation of system for retirement, disability and death benefits, to be maintained on actuarial basis (except for prior service benefits, which are to be funded within 40 years).

H 281 Winston-Salem street encroachment
Introducer: Davis

FORSYTH
Sent to LOC GOVT

"Amending the Charter of the City of Winston-Salem." Amends Sec. 54, Ch. 232, Private Laws of 1927 (City Charter) by adding new section authorizing city to permit encroachments upon city streets and rights-of-way for private purposes, in discretion of aldermen, subject to conditions set forth in Act.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

None

HOUSE BILLS

H 5 Permissible abortions (digested in Bulletin No. 1, p. 6).

Committee substitute adopted in House 2/22/71 changes requirement for parental consent from minor or incompetent to woman unmarried and under 18 years of age or an incompetent. Deletes mention of necessity of consent of husband of married woman. Reduces residency requirement from 90 to 30 days prior to operation. Adds to facilities in which abortion is permitted to be performed: clinics or other facilities affiliated with a hospital licensed by NC Medical Care Comm'n. Allows abortion to be performed when fetus is up to 20 weeks of age rather than 4 months. Requires hospitals and clinics to furnish to State Board of Health data regarding abortions on forms approved by State Board. Provides that no claim for payment of medical services performed by doctors or hospitals under Act shall be made to anyone other than a party consenting to abortion.

H 14 Columbia spending procedure (digested in Bulletin No. 1, p. 8).
Technical amendment adopted in House 2/22/71.

H 161 Angier liquor store allocation (digested in Bulletin No. 19, p. 125). Amendments adopted in House 2/22/71 so that net profit is distributed: 10% to Angier Community Library; 10% to town Alcoholic Control Board for educational purposes; and remainder to town general fund.

H 218 Lexington elections (digested in Bulletin No. 23, p. 154). Clarifying committee substitute adopted in House 2/22/71.

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 42 CONGRESSIONAL DISTRICTS.(2/19) S-PASSED 2ND & 3RD READING.
S. 84 INHERITANCE TAX COLLECTION. H-REC FROM SENATE; H-REF TO COM ON FINANCE.
S. 113 RIGHT OF WITHDRAWAL-STORED WATER. H-REC FROM SENATE; H-REF TO COM ON WATER.
S. 129 OPTIONAL SALES TAX DISTRIBUTION.(2/19) S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.
S. 138 BUFFER ZONES-PROTEST AMENDMENTS. S-REPTD FAV AS AMENDED.
H. 5 PERMISSIBLE ABORTIONS. H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
H. 219 TRANSCRIPT COSTS-STATE APPEALS.(2/19) H-PASSED 3RD READING.
H. 225 VALIDATING CLERK'S DEFAULT JT.. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.

LOCAL BILLS

- S. 40 (WAYNE) SEVEN SPRINGS ELECTION.(2/19) S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.
S. 125 (SAMPSON) CLINTON ELECTIONS. S-REPTD FAV.
H. 14 (TYRRELL) COLUMBIA SPENDING PROCEDURE. H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
H. 28 (WILSON) STANTONSBURG INVESTMENTS. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
H. 50 (BERTIE) ABOLISH COUNTY TREASURER. S-REPTD FAV.
H. 67 (PASQUOTANK) ABOLISH COUNTY AUDITOR. S-REPTD FAV.
H. 110 (SURRY) PILOT MOUNTAIN CHARTER.(2/10) S-REPTD FAV.
H. 123 (ALAMANCE) HAW R. SAN. DIST. LAND SALE. S-REPTD FAV.
H. 127 (GUILFORD) AMEND GREENSBORO CHARTER.(2/12) S-REPTD FAV.
H. 135 (DARE) DARE ED. BD. LAND TRANSFER. S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
H. 139 (RUTHERFORD) FOREST CITY MANAGER ELECTION. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
H. 161 (HARNETT) ANGIER LIQUOR STORE ALLOCATION. H-COM AMEND ADOPTED; H-COM AMEND ADOPTED; H-COM AMEND ADOPTED; H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
H. 166 (ORANGE) CHAPEL HILL RESERVE FUND. H-PASSED 3RD READING.

- H. 167 (FORSYTH) TAX LIEN LAW-FORSYTH EXEMPT. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 168 (VANCE) GARBAGE COLLECTION-VANCE COUNTY. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 194 (ORANGE) CHAPEL HILL POLICE JURISDICTION. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 200 (PERQUIMANS) REGISTER-FILING OF PAPERS. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 201 (WAYNE) COURTHOUSE TAX FUND. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 207 (MECKLENBURG) CHARLOTTE REFUSE DISPOSAL. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 218 (DAVIDSON) LEXINGTON ELECTIONS. H-PASSED 2ND & 3RD READING.
- H. 224 (YANCEY) PRIMARY ELECTIONS. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

Next sessions of Senate and House: 12 noon, Tueaday, February 23, 1971.

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DAILY BULLETIN

The General Assembly of North Carolina

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BULLETIN NO. 30

-203-

TUESDAY, FEBRUARY 23, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 172 Highway environmental impact
Introducers: Murrow and Horton

GS 136
Sent to CONS & DEV

"To require the State Highway Commission to make and publish findings on the anticipated environmental impact of its selection of location for State Highway Commission projects." Adds new GS 136-19.5 requiring Commission to prepare report prior to final determination of project location containing basis for proposed decision, to disseminate report to interested persons upon request, and to certify copy to register of deeds of counties where project located. Report to give consideration to aesthetic, historical, parks, recreational, noise, air and water pollution, and environmental impact and to driver benefits, community values, traffic, state and local government facilities, projected transportation requirements, and plans to minimize damage to historic, aesthetic and environmental values. Requires Commission to hold public hearing upon request of any person desiring alteration or amendment of proposed location. Effective July 1, 1971.

S 173 Banks 5-day week
Introducer: Baugh

GS 53
Sent to BANKING

"Relating to the operation of banks on a five-day week basis." Rewrites GS 53-77.1 (Saturday closing of certain banks) and repeals GS 53-77.2 (additional provisions for operation of commercial banks on five-day week basis), so as to permit operation of any "commercial" bank on five-day week basis (now, under GS 53-77.1, only banks--defined as industrial banks, national banking associations, federal reserve banks, credit unions, or any corporations, other than building and loan associations, doing business of banks--in cities with populations of 70,000 or more or cities with populations of 39,000 or more in counties with two such or more cities, may operate on five-day week basis, remaining closed on Saturdays, in discretion of their boards of directors). Requires Comm'r of Banking to hold hearing in community where bank located, after 10 days' notice, on request of any commercial bank to operate on five-day basis. Gives Comm'r discretion to permit five-day week operation. Requires bank to specify, when requesting Comm'r's approval of five-day week, the day it will be closed. Requires banks on five-day week basis to remain open minimum of seven hours (three of which must be after 3:00 p.m.) on one day of the week except legal holidays (now, on Friday for bank closing on Saturday); also requires such banks to remain open on specified State holidays. Provides against liability or loss of rights because of delays resulting from five-day week operation. Requires similar hearing, after notice, on request of bank to return to six-day operation.



S 174 Lt. Gov.-const'l duties, pay
Introducer: Joyner

CONSTITUTION
Sent to CONSTITUTION

"To amend the Constitution of North Carolina relating to the duties and compensation of the Lieutenant-Governor." Amends Art. III, Sec. 6 of NC Constitution (as effective July 1, 1971) to provide office of Lt.-Gov. be full-time position. Grants him "such additional duties (as) shall be consistent with the office of the Lieutenant-Governor being a full-time position." Provides his annual salary shall not be less than \$5,000 less than the annual salary of Governor. Requires submission of question to voters at next general election.

HOUSE

H 282 (Joint Resolution) 1971 House Rules
Introducer: Andrews

GS 120, MISC RES
Placed on Calendar

"Adopting the Rules of the 1971 Session of the North Carolina House of Representatives". Proposes verbal or technical changes in House Rules 4, 6, 10, 12, 13, 14, 16, 17, 18, 23, 30, 31, 34, 35, 36, 47, 49, and 56. Also proposes changes in the following Rules, as indicated: Amends Rule 1 to provide that House shall commence each legislative day at the hour fixed by the House (deletes "on the preceding legislative day"). Amends Rule 3(b) to provide that 15 members (now, 15 members "including the Speaker") may compel attendance of absentees. Amends Rule 7(b) to provide that with Speaker's permission a member may propound a question to the member occupying the floor but he shall not (propound a series of interrogatories or) otherwise interrupt the member having the floor (deletes bracketed words). Amends Rule 8 to provide that Speaker shall determine questions of personal privilege (deletes provision that Speaker's decision shall be "upon objection"). Amends Rule 9(b) to expressly require that overruling of Speaker by membership on calling a member to order must be by two-thirds vote of members present. Amends Rule 20(a) to provide that--once the previous question has been called--the main question is on the bill (eliminates language that this includes all pending amendments, and that if amendments are pending, questions shall be taken upon amendments in inverse order). Amends Rule 25(c) concerning pairs, to provide that pairs shall be announced before roll call commenced; to spell out procedure for announcing a pair; and to specify that vote of neither pair to be included in total vote. Amends Rule 29 to add the following committees to House Committee list: Congressional Districts, Social Services (replacing Public Welfare and State Legislative Districts. Amends Rule 40 to specify that bill may be recalled from committee after 10 "legislative" days without report, upon three "legislative" days' public notice (adds quoted words). Adds to Rule 44 (Amendments and Riders) provisions that (a) only one principal ("first degree") amendment shall be pending at one time; (b) that subsequent or substitute principal amendments shall be ruled out of order; (c) that a member desiring to offer a subsequent or substitute principal amendment may inform the House of his proposal by way of argument against the pending amendment, and may read and explain his proposal; and (d) that perfecting ("second degree") amendments may be considered without limitation in number, and shall be voted upon in inverse order. Amends Rule 59(a) to specify that the vote required to sustain the alteration or rescission of a Rule is a two-thirds vote of the "members present and voting" rather than of the "House".

H 283 Narcotic drugs-vehicle code
Introducer: Harris

GS 20
Sent to HY SAFTY

"To amend the laws relating to driving while under the influence of intoxicating liquor or narcotic drugs to include other impairing drugs and to make additional changes to bring G.S. 20-138 and related sections into substantial conformity with the provisions of the Uniform Vehicle Code." Rewrites GS 20-138 making it unlawful and punishable under GS 20-179 for any person under the influence of intoxicating liquor to drive or be in actual physical control of any vehicle. (Now, only prohibits driving; also eliminates reference to narcotic drugs.) Rewrites GS 20-139 making it unlawful and punishable under GS 20-179 for the following to drive or be in actual physical control of vehicle: (a) habitual user of any narcotic drug or (b) any person incapable of safely driving a vehicle because under influence of narcotic drug as defined in GS Ch. 90 or any other drug. Legal right to possess and use such drug no defense to violation of section. Rewrites GS 20-16.2(a), (b), (c), and (d) by extending consent to chemical blood tests to any person driving or exercising actual physical control of vehicle. Adds new GS 20-16.2(g) defining public vehicular area to include any driveway, roadway, parking lot or other public or private area open to public or some segment of public for vehicular traffic or parking. Conforms amendments to GS 20-17 (2), 20-17.1(d), 20-19(d), 20-19(e), 20-23.2, 20-139.1(a), 20-139.1(f), 20-179(a), and 20-179(b)(2). Effective October 1, 1971

H 284 Non-disclosure, tax information
Introducer: R. Brown

GS 75, 105
Sent to JUDIC 1

"To amend Chapter 75 of the General Statutes to provide that the unauthorized disclosure of tax information or the contents of any tax return or form by any person, firm or corporation preparing such return or form shall constitute a misdemeanor." Adds new GS 75-28 prohibiting disclosure as indicated by title "except in accordance with proper judicial order, or as otherwise provided by law." Specifically provides act does not prohibit inspection of tax forms as authorized in GS 105-259. Provides violation of act constitutes misdemeanor, with penalty for each offense fine not less than \$500 nor more than \$1,000 and/or imprisonment in discretion of court.

H 285 Citizenship restored
Introducer: J. J. Johnson

GS 13
Sent to JUDIC 2

"To amend Chapter 13 of the General Statutes to require the automatic restoration of citizenship to any person who has forfeited such citizenship due to committing a crime and has either been pardoned or completed his sentence." Adds new GS 13-11 as title indicates. Repeals GS 13-1 through 13-10 (previous law as to restoration of citizenship).

H 286 Increase commission members' pay
Introducer: Bumgardner

GS 138
Sent to APPROPN

"To amend G.S. 138-5 so as to increase per diem payments to fifteen dollars per diem, to establish the rate of payment for travel by private automobile as the same paid to State officials and employees, to increase subsistence allowance to twenty-five dollars per day, and to increase convention registration fees to fifty dollars for members of State boards and commissions." Increases per diem of members of all State boards, commissions and committees which operate from funds deposited with State Treasurer (except boards, commissions and committees whose members serve without compensation) to \$15.00 (now, \$7.00, except that members of Advis. Budget Comm'n get \$25.00 between July 1 and December 31 of even-numbered years). Increases expenses for travel by private automobile to nine cents per mile (now, eight cents per mile) plus actual cost of tolls paid. Increases maximum per diem for subsistence to \$25.00 (now, \$15.00 in-state and \$18.00 out-of-state) and allows for subsistence for meals, at discretion of Dir. of Budget, for persons attending meetings in their home communities. Increases convention

fees to \$50.00 (now, \$10.00). Effective July 1, 1971.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 287 Beaufort bonds
Introducers: Mason, Barker, and Bright

CARTERET
Sent to LOC GOVT

"Permitting the Town of Beaufort to authorize bonds for redevelopment purposes in the maximum aggregate principal amount of two hundred fifty thousand dollars notwithstanding the limitation of debt in the Municipal Finance Act, 1921." As title indicates.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 81 Local government sales tax act (digested in Bulletin No. 13, p. 83).
Amendment to committee substitute, adopted in Senate 2/23/71, adds new sentence to 105-473(b) prohibiting tax which has been terminated under 105-473(b) (repeal of tax by special election) from being reimposed within two years from the effective date of termination unless approved in election held pursuant to GS 105-465 (county election on adopting tax).

HOUSE BILLS

H 5 Permissible abortions (original bill digested in Bulletin No. 1, p. 6; committee substitute adopted in House 2/22/71 digested in Bulletin No. 29, p. 200).
Amendments (2) adopted in House 2/23/71 alter proposed GS 14-45.1(b)(3) as follows:
(1) Abortion permitted as described in law if pregnancy less than 12 (was 20) weeks gestation; and (2) Aborting of fetus over 12 weeks gestation permitted if health of woman in substantial danger (word "substantial" added).

H 134 Motor vehicles on county property (digested in Bulletin No. 16, p. 103).
Committee substitute adopted in House 2/23/71 provides owner of towed vehicle deemed to have appointed as his agent the local official superintending the towing of his vehicle.

SENATE AND HOUSE

CALENDAR ACTION

FEB.23,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 42 CONGRESSIONAL DISTRICTS.(2/19) H-REC FROM SENATE; H-REF TO COM ON CONGRESS.
S. 48 GEN. STAT. COMM. VACANCIES. S-REPTD FAV.
S. 81 LOCAL GOVERNMENT SALES TAX ACT.(2/19, 2/23) S-FLOOR AMEND ADOPTED; S-FLOOR AMENDS FAILED; S-PASSED 2ND READING.
S. 88 FIREMEN'S PENSION INVESTMENTS.(2/10) H-REPTD FAV.
S. 92 (J.RES.) ENDORSING FEDERAL REVENUE-SHARING. S-REPTD FAV.
#S. 97 PUBLIC EMPLOYEE STRIKES. S-REPTD UNFAV.
S. 105 FARM TRAILERS-SOYBEANS & CORN. S-REPTD FAV.
S. 114 WORKING HOURS-WOMEN. S-REPTD FAV.
S. 117 MENTAL CARE-PARENTS' LIABILITY. S-REPTD FAV.
S. 118 APPOINTMENT, TERM OF MAGISTRATES. S-REPTD FAV.
#S. 121 NO EXEMPTION-MEAT INSPECTION ACT. S-POSTPONED INDEF.
#S. 129 OPTIONAL SALES TAX DISTRIBUTION.(2/19) RATIFIED CH. 23.
S. 138 BUFFER ZONES-PROTEST AMENDMENTS.(2/23) S-COM AMEND ADOPTED; S-PASSED 2ND READING.
S. 161 CAPITOL RESTORATION CONTRACTS. S-REPTD FAV.

H. 5 PERMISSIBLE ABORTIONS.(2/22, 2/23) H-FLOOR AMENDS ADOPTED; H-FLOOR AMEND FAILED; H-PASSED 2ND READING.
H. 134 MOTOR VEHICLES ON COUNTY PROPERTY.(2/23) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
H. 141 70 MPH MAXIMUM-CERTAIN HIGHWAYS. H-REPTD FAV.
H. 145 SMOKES, SALES TO MINORS. S-REPTD FAV; S-PLACED ON CAL FOR FEB 25.
H. 160 NO EXEMPTION-MEAT INSPECTION ACT. S-REPTD FAV.
H. 177 EXTEND LIMITING DRIVING PERMITS. H-REPTD FAV.
H. 182 LAW OFFICERS' SICK LEAVE. H-REPTD FAV; H-RE-REF COM ON APPROPN.
H. 183 LAW OFFICERS' RETIREMENT FUND. H-REPTD FAV.
H. 188 BLANK AUTO TITLES. H-REPTD FAV.
H. 190 INS. LAPSE-AUTO REGISTRATION. H-REPTD FAV.
H. 203 YOUTH ADVOCACY COMMISSION. H-REPTD FAV AS AMENDED.
H. 214 OBSTRUCTING HIGHWAYS. H-REPTD FAV.
H. 219 TRANSCRIPT COSTS-STATE APPEALS.(2/19) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
H. 235 STATE CAPITAL CHALLENGES. H-REPTD FAV.
H. 257 CORPORATE DEEDS VALIDATED-1. H-REPTD FAV.
H. 258 CORPORATE DEEDS VALIDATED-2. H-REPTD FAV.

- H. 263 JUVENILE CASES-COSTS. H-REPTD FAV AS AMENDED.
- H. 264 CRIMINAL APPEALS. H-REPTD FAV.
- H. 282 1971 HOUSE RULES. H-PLACED ON CAL FOR FEB 24.

LOCAL BILLS

- #S. 36 (WAYNE) GOLDSBORO CHARTER CHANGES.(2/02) RATIFIED CH. 20.
- #S. 40 (WAYNE) SEVEN SPRINGS ELECTION.(2/19) RATIFIED CH. 21.
- #S. 77 (GASTON) BESSEMER CITY ELECTIONS. RATIFIED CH. 22.
- S. 125 (SAMPSON) CLINTON ELECTIONS. S-PASSED 2ND & 3RD READING.

- #H. 29 (ORANGE) HILLSBOROUGH COMMISSION TERMS. RATIFIED CH. 24.
- H. 50 (BERTIE) ABOLISH COUNTY TREASURER. S-PASSED 2ND & 3RD READING.
- H. 67 (PASQUOTANK) ABOLISH COUNTY AUDITOR. S-PASSED 2ND & 3RD READING.
- H. 110 (SURRY) PILOT MOUNTAIN CHARTER.(2/10) S-PASSED 2ND READING.
- H. 123 (ALAMANCE) HAW R. SAN. DIST. LAND SALE. S-PASSED 2ND & 3RD READING.
- H. 127 (GUILFORD) AMEND GREENSBORO CHARTER.(2/12) S-PASSED 2ND READING.
- H. 166 (ORANGE) CHAPEL HILL RESERVE FUND. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 208 (MECKLENBURG) CHARLOTTE CIVIL SERVICE.(2/19) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 218 (DAVIDSON) LEXINGTON ELECTIONS.(2/22) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

Next sessions of Senate and House: 12 noon, Wednesday, February 24, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

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BULLETIN NO. 31

-209-

WEDNESDAY, FEBRUARY 24, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 175 Shoplifting arrest liability
Introducer: Mills

GS 14
Sent to JUDIC 2

"To amend G.S. 14-72.1, relating to shoplifting." Adds new subsection (c) to GS 14-72.1 exonerating merchants, their agents or employees, or peace officers from civil liability for detention, in reasonable manner and for reasonable period of time, of person suspected with probable cause of shoplifting.

HOUSE

H 288 Game carcass tags
Introducer: Green

GS 113
Sent to WILDLIFE

"To authorize establishment of a system for tagging the carcasses of big game animals and birds, and for seasonal kill reports relating thereto." Adds to GS 113-95.2 (special big game hunting license) provision authorizing Wildlife Resources Comm'n to establish system of tagging carcasses of big game killed under authority of license and to prohibit transportation of such game without tag. Authorizes Comm'n to provide for system of reporting kills by hunters, including partial or negative reports. Effective August 1, 1971

H 289 Boat lifesaving devices
Introducer: Green

GS 75A
Sent to WILDLIFE

"To eliminate certain local exceptions to compliance with the general law relating to lighting and lifesaving devices on boats propelled by machinery of ten horsepower or less." Deletes from GS 75A-6(n) (which requires life preserver and light on boats propelled by 10 horsepower or less) local exceptions in Brunswick, Carteret, Chatham, Columbus, Duplin, Lee, New Hanover, Onslow, and Rockingham counties.

H 290 Squirrel-bunny sale
Introducer: Green

GS 113
Sent to WILDLIFE

"To prevent the purchase and sale of rabbits and squirrels." Deletes from GS 113-102(d) provision prohibiting purchase or sale of rabbits or squirrels for purpose of resale.



H 291 Free oldster fish-hunt license
Introducer: Green

GS 113
Sent to WILDLIFE

"To amend G.S. 113-95 with respect to combination hunting and fishing licenses of persons seventy years of age or older." Amends GS 113-95 providing lifetime combination hunting-fishing license be issued without charge to any resident applicant over 70. (Now, provides that any person over 70 may hunt or fish free upon proof of age.)

H 293 Lessor's liens, proceeds of sale
Introducer: Long

GS 44A
Sent to JUDIC 1

"To amend G.S. 44A-2 to provide for lessor's liens on the personal property of tenants and to amend G.S. 44A-5 to provide for disposition of unclaimed proceeds of sales." Adds new subsection (d) to GS 44A-2 (persons entitled to lien on personal property) granting to lessor of any house, room, apartment, office, store or other demised premises lien on furniture, household furnishings, trade fixtures, equipment and other personal property remaining on property for fifteen days or more after tenant having legal title to such property has vacated premises. Authorizes public or private sale of such property unless tenant pays rent or has agreement to contrary. Creates lien for amount of back due rent, costs of repairs and costs of sale. Subordinates lien to perfected security interest in such property. Amends GS 44A-5(3) (proceeds of sale) to provide for payment of proceeds of sale to person entitled or to clerk of superior court of county in which sale occurs to hold for person entitled to proceeds if latter cannot be found (now, provides only for payment to person entitled). Effective July 1, 1971.

H 294 Drug law revision
Introducers: Beatty and Barker

GS 8, 90
Sent to JUDIC 1

"To revise the laws concerning drugs, the various illegal and dangerous drugs and drug substances, and to provide law enforcement authorities with additional powers of detection of drug traffic in the form of a general procedure for electronic surveillance." Rewrites GS Ch. 90, Arts. 5 and 5A (Narcotic Drug Act, and Barbiturate and Stimulant Drugs) as new Art. 5 (North Carolina Dangerous Drug Act), and creates Electronic Surveillance Act as Art. 13 of GS Ch. 8.

North Carolina Dangerous Drug Act: Act patterned after federal Comprehensive Drug Abuse Prevention and Control Act (1970); attempts to be uniform therewith except where contrary to NC policy or existing law. Establishes five schedules for the classification of dangerous drug substances. Drug substances grouped within schedules according to criteria designed to disclose relative dangers of various drug substances to society: schedule I substances being most dangerous, including many opium derivatives (e.g., heroin) and hallucinogens. Various known dangerous drug substances subject to abuse enumerated in Act and located within schedules, but specifically exempts alcohol and tobacco preparations from chemicals and drugs included. Provision made for new or additional dangerous drug substances to be administratively added to, or moved about within, schedules by NC State Board of Health. Grouping of various drugs by schedule facilitates application of varying penalty and registration provisions and restrictions on use of various dangerous drug substances. Basic penalty provisions carried over from present law include felony level penalties for most violations of Act (minimum 1-yr sentences added) with monetary portions of penalties being increased to \$5,000, \$10,000, and \$15,000 from \$1,000, \$2,000, and \$3,000 respectively. Primary exceptions to general felony level penalty are first offense possession only of small amounts of marijuana (specified--same as present law); first offense possession only of dangerous drug substances controlled within schedules III, IV, or V, e.g., barbiturates, stimulants, meprobamate, paraldehyde, phenobarbital, paregoric--no significant change from approach of present law.

However, with respect to marijuana, creates presumption that if any portion of substance contains marijuana, then the whole substance is marijuana, thereby removing necessity of chemical analysis of each piece of substance in order to arrive at felony amount; creates presumptions that illegal possession of 50 or more dosages of schedule III substances (mainly stimulants and depressants), or 5 ozs. of paregoric is possession for illegal (felony) distribution. All felony level penalties created under Act carry mandatory 60-day active jail sentence for first offense as first portion of minimum sentence, remainder of sentence subject to normal provisions of suspension or probation. Act authorizes special probation terms (any time after 60-day mandatory active sentence) for all violations, the terms of probation may include rehabilitation treatment. Provides that distribution of any controlled dangerous substance by person between 18 and 21 years to person under 18 years who is also at least three years younger than distributor to be punished by twice normal punishment provisions (new); distribution of any controlled dangerous substance by person 21 years or older to person less than 21 years to be punished by not less than 10 years to life and up to \$15,000 fine (essentially same as present adult to minor provision). All second or subsequent offenses of any portion of Act are felonies (as now), and prior conviction of violations of various dangerous substance laws in other jurisdictions of US apply for purpose of determining subsequent violations of Act. Provision made for forfeiture to State of various substances, implements, vehicles, etc. used to facilitate violations of Act. Act provides for conditional discharge of first offenders who are guilty of possession only of marijuana (specified small amount--misdemeanor), or possession only of substances included in schedules II through V. Conditional discharge by court to be without court's entering judgement of guilt and with consent of offender. Upon fulfillment of terms and conditions as court imposes, court to discharge offender and dismiss proceedings against him, such discharge and dismissal having effect of expunging record entirely. Conditional discharge may occur only once with respect to any person. Establishes requirement that all non-professional drug treatment facilities (whether a place or a person), shelters, or places of comfort for persons using, under the influence of, or experiencing the effects of a controlled dangerous substance be licensed. Licensing procedure set out: basically done by NC Dept. of Justice on affirmative recommendation of NC Mental Health Council. Council required to find prior to affirmative recommendation at least: that facility has professional medical services available to it at all times; a responsible adult present or immediately available at all times; and that the drug treatment facility will make positive contribution toward controlling drug dependence and assisting drug dependent persons. Licensing would not alter personal liability status of persons serving in, or acting as, drug treatment facilities. Violation of licensing requirement a misdemeanor. Retains present provisions of law relating to "glue sniffing" offenses, but enlarges scope of substances within purview of law to include increased range of toxic substances used to bring about such intoxication. Details provisions for registration with NC Dept. of Justice to manufacture, or distribute, or conduct research with controlled dangerous substances, but excludes practitioners (definition includes all persons who would professionally dispense drug substances) from registration. Makes detailed provisions for order forms, invoices, and prescriptions dealing with controlled dangerous substances which include certain new safeguards. Violations of registration provisions, including refusal to keep and furnish records as required by law, made misdemeanors unless, on trial, violation found to be intentional, then felony. Same punishment provision applies to keeping or maintaining places commonly resorted to by drug cultists for use, storage or sales.

NC Dept. of Public Instruction and NC State Board of Higher Education authorized to carry out educational programs to prevent misuse and abuse of controlled dangerous substances and may enter into contracts related thereto; NC Dept. of Justice authorized to encourage research on misuse and abuse of controlled dangerous substances and may enter into contracts related thereto. NC Dept. of Justice authorized to grant limited research immunity with respect to research subjects, and may authorize, by registration, research possession and distribution of controlled dangerous substances.

NC Att'y Gen'l authorized to pay for information concerning violations of Act from funds appropriated for NC Dept. of Justice. Other provisions of existing NC Drug law not contradicted or pre-empted by proposed Act retained in Act without change.

Electronic Surveillance Act: creates Art. 13 of GS Ch. 8. Makes provision for judicially authorized electronic surveillance, covering what are commonly referred to as "wiretapping" and "bugging". Authorizes NC Att'y Gen'l or solicitor of any court to make application to superior court judge of county for order authorizing interception of wire or oral communications, in cases where such interception may provide evidence of commission of capital felonies, or organized gambling, or violations of NC Dangerous Drug Act. Order of judge granting interception to be made only after extensive safeguard procedure followed. Act sets forth detailed criteria necessary for application. Judge to issue ex parte order on application authorizing a specific form of electronic surveillance when he affirmatively determines that probable cause exists that one of designated offenses is being or will be committed, that authorized interception will reach incriminating communication, that normal investigative procedures have failed, or would likely fail, or are too dangerous. Court's order to specify identity of person whose communications sought, nature and locations of communications facilities, etc., by which interception to be made, descriptions of type of communication sought and particular offense to which it relates, identity of agency authorized to intercept communications and persons seeking authorization, and period of time during which interception is authorized. Authorization limited to 30 days with 30-day extensions available upon full re-application procedure. Provisions made for use, sealing and preservation of recording of contents of any wire or oral communication intercepted pursuant to Act. Provisions made for entering intercepted wire or oral communication into evidence, including notice and discovery provisions for adverse party. Provides for exclusion as evidence of any intercepted wire or oral communication on showing that communication was unlawfully intercepted, or the order of authorization was insufficient on its face, or interception not made in conformity with order of authorization. Act provides certain reporting and disclosure requirements on termination of electronic surveillance. Effective January 1, 1972.

H 295 Probationary drivers' licenses
Introducer: James

GS 20
Sent to HY SAFETY

"To amend G.S. 20-13 to provide the Department of Motor Vehicles with discretionary authority to allow certain provisional licensees probationary license status in lieu of suspension." Amends GS 20-13(a) (suspension of license of provisional licensee upon conviction of motor vehicle moving violation) to provide motor vehicle moving violation for purposes of section not to include any offense for which no points may be assessed, replacing present detailed listing of non-moving violations. Amends GS 20-13(b)(3) to permit DMV, six months after suspension of license of provisional licensee after hearing, to reinstate license on probationary status under such conditions as DMV specifies.

H 296 Accident reports; filing time (Iden. S 70)
Introducer: James

GS 20
Sent to HY SAFETY

"To amend G.S. 20-166.1(b) to allow five days to submit a written accident report to the Department of Motor Vehicles." Identical with S 70, digested in Bulletin No. 12, p. 73.

H 297 Fishing in multi-state lakes
Introducers: Kincaid and Taylor

GS 113, 143
Sent to WILDLIFE

"Relating to fishing in lakes which lie in North Carolina and an adjoining state." Makes it lawful for resident of state adjoining NC who has in his possession current valid fishing license of his state of residence to fish in lakes partially in his state of residence and in NC. Applies only to persons fishing from boats, and only in event of reciprocity. Effective July 1, 1971.

H 298 Abortion grounds for divorce
 Introducer: Rogers and others

GS 50, 8
Sent to JUDIC 1

"To make having an abortion without the consent of the husband grounds for an absolute divorce and to exempt related testimony from the physician-patient privilege." Adds new GS 50-5(7) creating additional grounds for absolute divorce if wife "procures or permits an abortion to be performed upon her without the written consent of her husband." Action barred after 9 months from husband's first actual knowledge of abortion. Adds new GS 8-53.1(b) eliminating physician-patient privilege as grounds for excluding hospital records or other evidence regarding alleged abortion in a divorce action under GS 50-5(7).

H 299 Powell Bill-sidewalks
 Introducers: Vogler and others

GS 136, 143, 160
Sent to LOC GOVT

"To amend G.S. 136-41.3 relating to the use of motor fuel tax allocated to municipalities to allow such funds to be used to construct sidewalks and overhead pedestrian walkways." Amends GS 136-41.3 (Powell Bill funds) to permit funds to be used for constructing sidewalks and overhead pedestrian walkways, in addition to existing purposes.

H 301 Learners' permits-6 months
 Introducer: Fenner

GS 20
Sent to HY SAFTY

"To amend G.S. 20-7(1) to make temporary learner's permits valid for a period of six months." Makes learners' permits valid for six months (now, 30 days). Effective July 1, 1971.

H 302 No seal, deeds
 Introducer: Warlick

GS 45
Sent to JUDIC 1

"To eliminate the requirement that certain instruments be under seal." Adds new GS 45-66.1 providing that deeds or other instruments affecting real property need not be signed under seal. Signature of grantors, other than corporation, valid. Effective July 1, 1971, but only as to instruments executed on and after that date.

H 303 Shoplifting arrest liability (Iden. S 175)
 Introducers: Leatherman and Royall

GS 14
Sent to JUDIC 1

"To amend G.S. 14-72.1, relating to shoplifting." Identical with S 175, digested in Senate section of today's Bulletin.

H 304 Tuesday primaries
 Introducers: Barbee and Harris

GS 163
Sent to ELECTION

"To amend Chapter 163 of the General Statutes so as to change the day on which primary elections are conducted." Amends GS 163-1(b) to provide for holding primaries for general elections on the third Tuesday in April (now, first Saturday in May).

H 305 Uniform date for candidacy
 Introducers: Barbee and Harris

GS 163
Sent to ELECTION

"To amend Chapter 163 of the General Statutes so as to establish the same filing deadline for candidates for all offices." Amends GS 163-106(c) (time for filing notice of candidacy) to add to its coverage "all county offices" and to change last day

of filing period to Monday preceding tenth Tuesday before primary elections for all offices covered under subsection (now, Friday preceding 10th Saturday for certain offices, and Friday preceding 6th Saturday for others).

LOCAL BILLS INTRODUCED

SENATE

S 176 Ocean Isle tax limit repeal
Introducer: Frink

BRUNSWICK
Sent to LOC GOVT

"To amend Chapter 887, Session Laws of 1959, as amended, the same being the Charter of the Town of Ocean Isle Beach, to repeal the tax rate limitation imposed thereby." Deletes tax limit from charter of Ocean Isle (now, \$1.00 per \$100.00 valuation of property).

HOUSE

H 292 Whiteville Board of Education
Introducers: Soles and Harrelson

COLUMBUS
Sent to EDUCATN

"Appointing the members of the Board of Education of Whiteville City School Administrative Unit." Appoints Stanley, Jordan, Hooks, Davis, Parks, White, Wyche, Brooks, Jr., and Burns to board for 2 yr-terms beginning first Monday in April, 1971.

H 300 Minting Mint Hill
Introducers: Vogler, Beatty, Campbell,
Cobb, Foley, Hicks and Lawing

MECKLENBURG
Sent to LOC GOVT

"To incorporate the town of Mint Hill in Mecklenburg County." Incorporates Mint Hill. Sets forth general corporate powers, boundaries. Establishes mayor/commissioner form of government; appoints temporary mayor and commissioners; provides for mayor, mayor pro tempore, five commissioners and method of election, terms, compensation, meetings, procedures of meetings and of adopting ordinances. Establishes municipal election procedure. Creates offices of attorney, clerk, tax collector, accountant; provides for consolidation of functions, employment of other personnel. Sets forth finance, bond issuance, contracting, auditing, taxing procedures. Provides for tort claim procedures. Establishes police department.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 138 Buffer zones-protest amendments (digested in Bulletin No. 24, p. 159)
Amendment adopted in Senate 2/24/71 makes act apply only to Mecklenburg County.

HOUSE BILLS

H 5 Permissible abortions (original bill digested in Bulletin No. 1, p. 6; House committee substitute 2/22/71 digested in Bulletin No. 29, p. 200; House amendments 2/23/71 digested in Bulletin No. 30, p. 206)

Amendment adopted in House 2/24/71 provides written consent of husband (as well as wife; was consent of wife alone) required if husband and wife living together at time of abortion request.

H 34 State airport aid (digested in Bulletin No. 5, p. 27)

Amendment adopted in House 2/24/71 provides no loan or grant to air carrier airport to exceed \$25,000.

H 282 (Joint Resolution) 1971 House Rules (digested in Bulletin No. 30, p. 204)

Amendment to Rule 29(d) adopted in House 2/24/71 provides no member of House may be excluded from executive session of standing committee or subcommittee.

SENATE AND HOUSE

CALENDAR ACTION

FEB.24,1971

- NOTES: 1. Includes floor action in both Senate and House.
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PUBLIC BILLS

- S. 46 COUNCIL OF STATE QUORUM. H-REPTD FAV AS AMENDED.
S. 48 GEN. STAT. COMM. VACANCIES. S-PASSED 2ND & 3RD READING.
S. 81 LOCAL GOVERNMENT SALES TAX ACT.(2/19, 2/23) S-FLOOR AMEND FAILED; S-PASSED 3RD READING.
S. 92 (J.RES.) ENDORSING FEDERAL REVENUE-SHARING. S-RE-REF COM ON INTERGOV.
S. 105 FARM TRAILERS-SOYBEANS & CORN. S-PASSED 2ND & 3RD READING.
S. 110 EXTEND LIMITED DRIVING PERMITS. S-REPTD FAV.
#S. 111 SPEEDING-REDUCED LICENSE PENALTY-2. S-REPTD UNFAV.
S. 114 WORKING HOURS-WOMEN. S-PASSED 2ND & 3RD READING.
S. 117 MENTAL CARE-PARENTS' LIABILITY. S-RE-REF COM ON APPROPRN.
S. 118 APPOINTMENT, TERM OF MAGISTRATES. S-PASSED 2ND & 3RD READING.
S. 138 BUFFER ZONES-PROTEST AMENDMENTS.(2/23, 2/24) S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
S. 148 NAMING STATE BUILDINGS. S-REPTD FAV.
S. 154 NOTARIES' ACTS VALIDATED. S-REPTD FAV.
S. 161 CAPITOL RESTORATION CONTRACTS. S-PASSED 2ND READING.
S. 170 COUNCIL OF STATE MINUTES. S-REPTD FAV.

H. 5 PERMISSIBLE ABORTIONS.(2/22, 2/23, 2/24) H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING.
H. 34 STATE AIRPORT AID.(2/24) H-FLOOR AMEND FAILED; H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING.
H. 73 EMERGENCY FINANCE ACT OF 1971. H-REPTD FAV.
H. 103 TAX REFUND-SEWERAGE DISTRICTS. H-REPTD FAV.
H. 115 GREAT SEAL OF THE STATE. H-REPTD FAV AS AMENDED.
H. 126 REDEFINED 1ST SECURITY INSTRUMENT. H-REPTD FAV.
H. 160 NO EXEMPTION-MEAT INSPECTION ACT. S-PLACED ON CAL FOR FEB 25.
H. 179 STATE AID-AIRPORTS. H-RE-REF COM ON APPROPRN.
H. 256 VALIDATE CONTRACTS-6% INTEREST. H-REPTD FAV.
#H. 282 (H.RES.) 1971 HOUSE RULES.(2/24) H-FLOOR AMEND ADOPTED; ADOPTED.

LOCAL BILLS

- S. 125 (SAMPSON) CLINTON ELECTIONS. H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.

H. 14 (TYRRELL) COLUMBIA SPENDING PROCEDURE.(2/22) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

#H. 50 (BERTIE) ABOLISH COUNTY TREASURER. RATIFIED CH. 25.
#H. 67 (PASQUOTANK) ABOLISH COUNTY AUDITOR. RATIFIED CH. 26.
H. 71 (CRAVEN) FIVE DAY BANKS. S-REPTD FAV AS AMENDED.
H. 110 (SURRY) PILOT MOUNTAIN CHARTER. (2/10) S-PASSED 3RD READING.
#H. 123 (ALAMANCE) HAW R. SAN. DIST. LAND SALE. RATIFIED CH. 27.
H. 127 (GUILFORD) AMEND GREENSBORO CHARTER. (2/12) S-PASSED 3RD
READING.

Next session of Senate: 12 noon, Thursday, February 25, 1971.

Next session of House: 11:30 a.m., Thursday, February 25, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO, 32

-219-

THURSDAY, FEBRUARY 25, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 177 Bottle deposit
Introducer: Flaherty

GS 106
Sent to ABC

"To require two cents deposit on a can or bottle of soft drinks and beer." Requires retailer of soft drinks (as defined in GS 106-175) to collect 2¢ from purchaser for each bottle or can, returnable or non-returnable, of beer, lager beer, ale, porter, and soft drinks sold, and to refund 2¢ per can or bottle returned to him. Effective January 1, 1972 as to sales after that date.

S 178 Flag desecration (Iden. H 317)
Introducers: Church and Harris

GS 14
Sent to VETERANS

"Prohibiting the desecration of the flag of the United States and the flag of North Carolina." Identical to H 317, digested in the House section of today's Bulletin.

S 179 Public drunks, non-criminal (Iden. H 318)
Introducer: McGeachy

GS 14, 122
Sent to CORRECTN

"To provide for repeal of the criminal offense of public drunkenness and to authorize peace officers to transport any publicly intoxicated person to his residence, to a treatment facility, or to jail for detoxication." Identical to H 318, digested in the House section of today's Bulletin.

S 180 Waiver of jury-Constitution (Iden. H 306)
Introducer: McGeachy

CONSTITUTION
Sent to CONSTUTN

"To amend the Constitution of North Carolina to allow defendants in criminal cases to waive full number of jurors." Identical to H 306, digested in the House section of today's Bulletin.

S 181 (Joint Resolution) Endorsing revenue sharing
Introducer: McGeachy

MISC RES
Sent to INTERGOV

"Endorsing the concept of Federal revenue-sharing." As title indicates.



S 182 Bail bond deposit-10% (Iden. H 311)
Introducer: McGeachy

GS 15
Sent to JUDIC 2

"To give certain persons accused of noncapital felonies or misdemeanors the option of satisfying bail by depositing ten per cent of the bail with the court and receiving ninety per cent of the deposit back upon compliance with the conditions of the bond." Identical to H 311, digested in the House section of today's Bulletin.

S 183 Indictment-8 grand jurors
Introducer: Bailey

GS 15, 9
Sent to COURTS

"To require agreement by a minimum of eight members of the grand jury to find a true bill of indictment." Adds new GS 15-140.3 requiring assent by at least 8 members of grand jury to indictment as condition of its sufficiency. (Under present GS 9-22, there are 18 members of a grand jury. Under proposed S 184, amending GS 9-22, digested immediately below, the grand jury would consist of 12 members.)

S 184 Drawing grand jury
Introducer: Bailey

GS 9
Sent to COURTS

"To amend G.S. 9-22 relating to the drawing of a grand jury." Amends GS 9-22 to create grand jury of 12 members (now, 18), serving six-month staggered terms, with 6 (now, 9) of total number of jurors rotating off every six months. (See S 183, digested immediately above, relating to minimum number of jurors required to find true bill.)

HOUSE

H 306 Waiver of jury-Constitution (Iden. S 180)
Introducer: Harkins

CONSTITUTION
Sent to JUDIC 1

"To amend the Constitution of North Carolina to allow defendants in criminal cases to waive full number of jurors." Provides for amendment to NC Constitution (as effective July 1, 1971), upon approval of majority of voters in referendum at time of next general election, allowing parties in criminal cases, prior to verdict of jury and with approval of court, to stipulate that jury consist of any number of jurors not less than six, instead of number required for full jury. Requires court to advise defendant of right to be tried by full jury; also requires personal waiver by defendant of right to be tried by full jury.

H 308 Collision insurance assigned risk
Introducers: Kincaid and Warlick

GS 58
Sent to INSUR

"To amend Article 13 of Chapter 58 of the General Statutes relating to establishing an assigned risk plan for obtaining physical damage insurance on private passenger automobiles." Adds new GS 58-131.1A directing Comm'r of Insurance to develop Assigned Risk Plan after consultation with Fire Ins. Rating Bur. and representatives of licensed insurance carriers writing auto insurance in NC. Allows Bureau and carriers to submit suggested Plan; permits Comm'r to approve submitted Plan or, if none submitted or approved, to formulate Plan on own initiative. Requires all carriers in NC to subscribe to and participate in Plan as prerequisite to continuing to issue insurance in NC. Requires Comm'r make equitable apportionment among insurance carriers of applicants for physical damage policies who are unable to secure such insurance through ordinary methods or who do not wish to secure such insurance through ordinary methods.

Requires persons desiring coverage under Plan to apply to Comm'r (application deemed to mean applicant does not desire to secure insurance through ordinary methods). Requires Comm'r to assign applicants to insurance carriers in accordance with Plan approved. Requires carriers to issue principal damage insurance policy meeting minimum requirements of term, coverage, conditions, exclusions and premium rates as set forth in proposed Act. Requires Comm'r to establish or cause to be established rate classifications, rating schedules, rates, rules and regulations pursuant to proposed Act.

Empowers Comm'r, after review of applicant's record and all pertinent information, to (a) refuse to assign application, (b) approve carrier's rejection of application, (c) approve cancellation by carrier or (d) refuse approval of renewal or reassignment of policy. Restricts Comm'r's power to refuse insurance to (a) driver whose license has been and continues to be suspended by Dep't of Motor Vehicles under GS 20-16 or (b) applicant who, together with any person residing in same household and operating vehicle, has accumulated 11 or more points under Safe Driver Plan (GS 58-248.8). Empowers Comm'r to revoke or cancel insurance for nonpayment of premium or if Dep't of Motor Vehicles suspends insured's license or insured and any other person residing in same household accumulate 11 points as above. Makes assigned risk provisions available to nonresidents only with respect to autos registered and principally garaged in NC.

Requires policies issued pursuant to this Act to (a) be effective for at least 12 months, (b) provide coverage in same manner and extent, subject to same exclusions and conditions (not otherwise in conflict with this Act) currently offered by carriers writing physical damage policies in NC, and (c) be on forms prescribed by Comm'r.

Prohibits applicant under Plan from being charged premium based on any conviction, traffic accident or driving record except: (a) if applicant or any driver residing in same household have accumulated no more than 1 point under Safe Driver Plan, no additional premium may be charged by reason of any conviction, traffic accident or driving record; and (b) more than 2 but less than 11 points, an additional premium rate of 50% over rate otherwise applicable shall be charged til such time as 1 yr's experience is available on such category of risks; thereafter, such category charged on basis of actual loss experience from that category. Effective January 1, 1972.

H 311 Bail bond deposit-10% (Iden. S 182)
Introducer: Long and others

GS 15
Sent to JUDIC 1

"To give certain persons accused of noncapital felonies or misdemeanors the option of satisfying bail by depositing ten per cent of the bail with the court and receiving ninety per cent of the deposit back upon compliance with the conditions of the bond."
Adds new Art. 10 (sec. 15-103.2 and 15-103.3) to GS Ch. 15 and rennumbers present GS 15-103.2 as GS 15-103.4. Provides that if accused is entitled to release prior to trial under GS 15-103.1 (release prior to trial or hearing other than on bail), residents of NC accused of misdemeanors or noncapital offenses for which maximum punishment is less than 10 years' imprisonment may satisfy requirement of bail deposit of bail security, and that residents of NC accused of noncapital cases for which maximum punishment is more than 10 years' imprisonment may apply to judge of superior or district courts for permission to satisfy requirement of bail by deposit of bail security. Sets forth procedure for deposit of bail security: accused executes bail bond and deposits with magistrate or clerk of superior court amount equal to 10% of bail (not less than \$25.00 in any event); deposit of bail security entitles accused to release from custody under conditions of bail bond; court may order original bail to stand as bail pending trial or appeal, or may deny or increase or reduce amount of bail;

clerk to return 90% of deposited amount to accused and retain 10% as service charge when conditions of bail bond met by accused, but, if costs assessed or fine imposed, clerk to deduct those amounts from deposit and return balance; costs to be paid first, then fine. Requires forfeiture of bond, upon notice, if accused fails to comply with conditions of bail bond and cannot satisfy court, upon hearing, that his appearance as required by bond was impossible and not his fault. Upon forfeiture, clerk to deduct 10% from deposit for service charge and pay 90% to county school fund. Provides that failure to comply with conditions of bond is misdemeanor punishable by maximum fine of \$500 or 6 months' imprisonment. Conforms GS 15-103.1(c). Effective January 1, 1972.

H 313 Wildlife protector retirement
Introducer: Green

GS 135, 143
Sent to ST PERS

"To allow wildlife protectors to transfer membership in the Teachers' and State Employees' Retirement System to the Law Enforcement Officers Benefit and Retirement Fund." Authorized all Wildlife Protectors presently members of Teachers' and State Employees' Retirement System to transfer membership to Law Enforcement Officers' Benefit and Retirement Fund but establishes cut-off date of January 1, 1972. Requires written request for transfer be filed with Board of Trustees of Teachers' System, and directs Executive Secretary of Teachers' System to transfer to proper official of Officers' Fund employee's (1) accumulated contributions and interest thereon and (2) accumulated contributions and interest thereon made to Teachers' System by State on behalf of employee. Directs Bd. of Comm'rs of Officers' Fund to receive transferred funds and any additional lump-sum contributions made by or on behalf of employee to entitle him to maximum benefits provided in statute creating Officers' Fund. All creditable service while member of Teachers' System to be same for purposes of transferred membership in Officers' Fund. Empowers Bd. of Comm'rs of Officers' Fund to make rules to carry out provisions of Act. Provides every person employed in future as Wildlife Protector automatically to be member of Teachers' System unless within 15 days he chooses membership in Officers' Fund, in which case he cannot also be member of System. Amends GS 143-166(i) to provide reversion to Wildlife Fund of State-contributed benefits upon death of member or his withdrawal from Fund.

H 314 Bear killing penalty
Introducer: Green

GS 113
Sent to WILDLIFE

"To increase the penalty for killing bear illegally and to provide for the trapping and disposition of bears committing depredations." Amends GS 113-109(d) (violation of game laws) making it punishable by \$250.00 fine or 90 days' imprisonment or both to take or attempt to take bear during closed season or during open season by unlawful means. Amends GS 113-87 (permits to kill game injurious to agricul.) to exclude bear. Adds new provision to GS 113-87 permitting owner or person in charge of property destroyed or damaged by bear to apply to Wildlife Resources Comm'n for permit to trap bear, with traps furnished by Comm'n and under supervision of agent of Comm'n, who may transport and release trapped bear not more than 50 miles from where trapped. Conforms GS 113-126.1.

H 315 Towed vehicles firmly attached
Introducer: Fenner

GS 20
Sent to HY SAFTY

"To amend G.S. 20-123(b) to make minimum standards for drawing of towed vehicles consistent with the standards of trailers and semi-trailers." Adds all towed vehicles to standards prescribed by GS 20-123(b), requiring trailer, semi-trailer or other towed vehicle be firmly attached to rear of towing vehicle and equipped so it will not "snake" but will follow in path of wheels of towing vehicle. Effective July 1, 1971.

H 316 Dead dog notification
Introducer: Beam

GS 136, 67
Sent to HY SAFTY

"To amend G.S. 136-18, subdivision (21), pertaining to the notification of owners of dead dogs and other animals found on highways." Adds requirement to GS 136-18(21) that if evidence of ownership is on body of dead dog or other animal found on primary or secondary roads Highway Comm'n take reasonable steps to notify owner.

H 317 Flag desecration (Iden. S 178)
Introducer: Jones

GS 14
Sent to JUDIC 2

"Prohibiting the desecration of the flag of the United States and the flag of North Carolina." Simplifies GS 14-381 (desecration of US or NC flags) to make it unlawful (1) wilfully and knowingly to cast contempt on flag by public acts of physical contact including, but not limited to, mutilation, defiling, defacing or trampling, and (2) to take down, without lawful authority, any US or NC flag flying in public place. Makes violation misdemeanor punishable by maximum fine of \$50 or 30 days' imprisonment.

H 318 Public drunks, non-criminal (Iden. S 179)
Introducer: S. Johnson

GS 14, 122
Sent to JUDIC 1

"To provide for repeal of the criminal offense of public drunkenness and to authorize peace officers to transport any publicly intoxicated person to his residence, to a treatment facility, or to jail for detoxication." Rewrites GS 122, Art. 7A. Defines "intoxicated person" as "any person who is so far under the influence of intoxicating liquor that his passions are visibly excited or his judgment materially impaired, or whose brain is so far affected that some or all of its faculties or processes are materially impaired." Prohibits prosecution solely for public intoxication.

Authorizes peace officer to transport "any apparently intoxicated person found in a public place and seemingly in need of care" to (1) that person's or another's residence, (2) any health care facility or (3) other appropriate facility. Authorizes director of health care facility or licensed physician therein who has responsibility for care of such person to detain person for treatment for intoxicated condition for period up to 72 hrs.

Authorizes peace officer to transport apparently intoxicated person found in public place to city or county jail for detoxification if officer "reasonably believes that that person left in public would constitute a danger to himself or others." Authorizes chemical analyses of person's blood or breath while in jail to determine if person needs immediate health care, but failure to administer tests routinely not negligent conduct. Allows person to be kept at jail until apparently sober and capable of caring for self, but not for more than 24 hrs.

Authorizes officer, if reasonably believes necessary for own safety, to search intoxicated person before transporting and relieves persons of criminal or civil liability for assault, false imprisonment or other alleged torts or crimes arising from reasonable measures taken under this article, if measures in fact were necessary and did not involve unnecessary or excessive force.

Requires person in charge of health care facility or jail to notify responsible member of intoxicated person's family of his presence there, as soon as practicable. Makes intoxicated person liable to facility for reasonable costs in providing transportation, shelter and treatment. Repeals GS 14-335 (public drunkenness, a misdemeanor), all conflicting local acts, city and county ordinances, and all other laws. Effective September 1, 1971.

LOCAL BILLS INTRODUCED

SENATE

S 185 Minting Mint Hill
Introducers: Moore, Knox and Baugh

MECKLENBURG
Sent to LOC GOVT

"To incorporate the Town of Mint Hill in Mecklenburg County." Identical with H 300, digested in Bulletin No. 31, p. 214. (See also S 186 and H 309, digested in today's Bulletin.)

S 186 Mint Hill consol. vote (Iden. H 309)
Introducers: Moore, Knox and Baugh

MECKLENBURG
Sent to LOC GOVT

"Amending Chapter 67, House Bill 101, of the 1969 Session of the General Assembly of North Carolina, establishing for the municipality of Mint Hill a right to vote as a municipality in the election upon the consolidation of the governments of the municipalities within, and the County of, Mecklenburg." Directs Charlotte-Mecklenburg Charter Comm'n to provide for Mint Hill, in consolidation election, same voting rights provided for towns of Cornelius, Davidson, Huntersville, Matthews and Pineville. Provides for Mint Hill same representation accorded those towns on Charter Comm'n, Citizen's Review Committee or any organization formed or sponsored by Charter Comm'n. Gives Mint Hill equal status with those towns as to any activity relating to consolidation of governments of Mecklenburg County and one or more municipalities therein. Requires Mint Hill to cooperate with Charter Comm'n in every manner required of those towns. (See also H 39, digested in Bulletin No. 5, p. 28, and H 300, digested in Bulletin No. 31, p. 214.)

HOUSE

H 307 Plumbing inspector repeal
Introducers: Penton and G. Rountree

NEW HANOVER
Sent to LOC GOVT

"To repeal the local act relating to the plumbing inspector in New Hanover County." Repeals Ch. 58, 1937 Public-Local Laws, authorizing County Bd. of Health to appoint plumbing inspector.

H 309 Mint Hill consol. vote (Iden. S 186)
Introducers: Vogler, Beatty, Campbell, Cobb
Foley, Hicks and Lawing

MECKLENBURG
Sent to LOC GOVT

"Amending Chapter 67, House Bill 101, of the 1969 Session of the General Assembly of North Carolina, establishing for the municipality of Mint Hill a right to vote as a municipality in the election upon the consolidation of the governments of the municipalities within, and the County of, Mecklenburg." Identical with S 186, digested in Senate section of today's Bulletin.

H 310 Charlotte board member residence
Introducers: Vogler, Beatty, Campbell, Cobb,
Foley, Hicks and Lawing

MECKLENBURG
Sent to LOC GOVT

"To amend Chapter 713 of the Session Laws of 1965, being the charter of the City of Charlotte in Mecklenburg County relating to powers of City Council." Rewrites Sec. 5.01(c) of City Charter to provide that all persons appointed by City Manager or Mayor as heads of departments of City be or become residents of Charlotte within 60 days after appointment (now, (1) all members of City boards, Commissions and authorities must be or become City residents, and (2) members appointed by City Manager or Mayor to joint City-County boards, commissions and authorities are exempt from residence requirement).

H 312 Ayden library, recreation funds
Introducers: Bundy and H. Rountree

PITT
Sent to LOC GOVT

"Amending the Charter of the Town of Ayden." Deletes from Section 10.2 of city charter references to limits on annual appropriations for recreational and library funds (now, \$10,000 for recreation and \$5,000 for library).

H 319 Dunn elections
Introducers: Arnold and Love

HARNETT
Sent to LOC GOVT

"To amend Chapter 818 of the Session Laws of 1969 relating to municipal elections in the City of Dunn." Rewrites Sections 4.1 through 4.6 of City Charter to require municipal non-partisan primary election (if required) be held third Tuesday after the first Monday in April preceding regular municipal election for nomination of candidates for offices of mayor and councilman. Declares any candidate receiving majority of all votes cast in non-partisan primary to be elected and that they need not run in regular election. Sets forth procedure if no candidate receives majority in primary. Provides tie-breaking procedure. Regular elections held quadrennially on Tuesday after first Monday in May, beginning 1971, for 4-year terms. Provides for registration prior to each primary. Makes GS 160-31 (polling places) inapplicable to Dunn insofar as it requires separate polling place in each ward.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 161 Capital restoration contracts (digested in Bulletin No. 27, p. 180)
Amendment adopted in Senate 2/25/71 requires Advisory Budget Comm'n approval of contracts for NC capitol's restoration.

HOUSE BILLS

H 71 Five-day banks (digested in Bulletin No. 9, p. 55)
Amendment adopted in Senate 2/25/71 provides act shall apply only to Craven County.

H 203 Youth Advocacy Commission (Iden. S 135, digested in Bulletin No. 23, p. 151)
Two amendments adopted in House 2/25/71, one technical and one requiring Comm'n to provide information to public as to its activities and findings.

H 214 Obstructing highways (digested in Bulletin No. 23, p. 153)
Amendment adopted in House 2/25/71 increases penalty for violation to maximum fine of \$500.00 or imprisonment for not more than 6 months (original bill provided maximum of \$50.00 and 30 days).

H 263 Juvenile cases-costs (digested in Bulletin No. 27, p. 181)
Amendment adopted in House 2/25/71 provides "parent, guardian, trustee or person standing in loco parentis" may be ordered to pay support for child during detention period (was "parent or parents").

SENATE AND HOUSE

CALENDAR ACTION

FEB. 25, 1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 46 COUNCIL OF STATE QUORUM. (2/25) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
S. 48 GEN. STAT. COMM. VACANCIES. H-REC FROM SENATE; H-REF TO COM ON COURTS.
S. 81 LOCAL GOVERNMENT SALES TAX ACT. (2/19, 2/23) H-REC FROM SENATE; H-REF TO COM ON FINANCE.
S. 88 FIREMEN'S PENSION INVESTMENTS. (2/10) H-PASSED 2ND & 3RD READING.
S. 105 FARM TRAILERS-SOYBEANS & CORN. H-REC FROM SENATE; H-REF TO COM ON HY SAFTY.
S. 110 EXTEND LIMITED DRIVING PERMITS. S-FLOOR AMEND FAILED; S-PASSED 2ND READING.
S. 114 WORKING HOURS-WOMEN. H-REC FROM SENATE; H-REF TO COM ON MFR LABR.
S. 118 APPOINTMENT, TERM OF MAGISTRATES. H-REC FROM SENATE; H-REF TO COM ON COURTS.
S. 122 CENTRAL SCHOOL FOR DEAF. S-REPTD FAV; S-RE-REF COM ON APPROPN.
S. 148 NAMING STATE BUILDINGS. S-PASSED 2ND & 3RD READING.
S. 154 NOTARIES' ACTS VALIDATED. S-PASSED 2ND & 3RD READING.
S. 161 CAPITOL RESTORATION CONTRACTS. (2/25) S-FLOOR AMEND ADOPTED; S-PASSED 3RD READING.
S. 170 COUNCIL OF STATE MINUTES. S-PASSED 2ND & 3RD READING.

H. 5 PERMISSIBLE ABORTIONS. (2/22, 2/23, 2/24) S-REC FROM HOUSE; S-REF TO COM ON PUB HLTH.
H. 73 EMERGENCY FINANCE ACT OF 1971. H-PASSED 2ND READING.
H. 103 TAX REFUND-SEWERAGE DISTRICTS. H-PASSED 2ND & 3RD READING.
H. 115 GREAT SEAL OF THE STATE. H-COM AMEND FAILED; H-RE-REF COM ON ST GOVT.
H. 126 REDEFINED 1ST SECURITY INSTRUMENT. H-PASSED 2ND & 3RD READING.
H. 134 MOTOR VEHICLES ON COUNTY PROPERTY. (2/23) H-PASSED 2ND & 3RD READING.
H. 141 70 MPH MAXIMUM-CERTAIN HIGHWAYS. H-PASSED 2ND & 3RD READING.
H. 145 SMOKES, SALES TO MINORS. S-PASSED 2ND & 3RD READING.
H. 160 NO EXEMPTION-MEAT INSPECTION ACT. S-PLACED ON CAL FOR MAR 2.
H. 163 AGE 18 MEDICAL TREATMENT CONSENT. S-REPTD FAV AS AMENDED.
H. 164 CHEMICAL TEST-0.15 REVOCATION. H-PASSED 2ND & 3RD READING.

- H. 177 EXTEND LIMITING DRIVING PERMITS. H-POSTPONED TO FEB 26.
- H. 183 LAW OFFICERS' RETIREMENT FUND. H-PASSED 2ND & 3RD READING.
- H. 187 REALTY BROKERS AND SALESMEN. H-REPTD FAV AS AMENDED.
- H. 188 BLANK AUTO TITLES. H-PASSED 2ND & 3RD READING.
- H. 190 INS. LAPSE-AUTO REGISTRATION. H-PASSED 2ND & 3RD READING.
- H. 196 (J.RES.) PIEDMONT RAPID TRANSIT. H-REPTD FAV AS AMENDED.
- H. 203 YOUTH ADVOCACY COMMISSION.(2/25) H-COM AMEND ADOPTED; H-RE-REF COM ON APPROPN.
- H. 211 NO WARRANTY ON HUMAN TISSUE. H-REPTD FAV.
- H. 214 OBSTRUCTING HIGHWAYS.(2/25) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 219 TRANSCRIPT COSTS-STATE APPEALS.(2/19) S-REPTD FAV.
- H. 235 STATE CAPITAL CHALLENGES. H-PASSED 2ND READING.
- #H. 254 DETENTION, SEARCH OF PERSONS. H-REPTD UNFAV.
- H. 256 VALIDATE CONTRACTS-6% INTEREST. H-PASSED 2ND READING.
- H. 257 CORPORATE DEEDS VALIDATED-1. H-PASSED 2ND & 3RD READING.
- H. 258 CORPORATE DEEDS VALIDATED-2. H-PASSED 2ND & 3RD READING.
- H. 261 ORANGE BOARD OF EDUCATION. H-REPTD FAV.
- H. 263 JUVENILE CASES-COSTS.(2/25) H-COM AMEND ADOPTED; H-RE-REF COM ON APPROPN.
- H. 275 TAX CLASSIFICATION-WATER COMPANIES. H-RECALLED FROM COM; H-RE-REF COM ON FINANCE.
- H. 276 TAX EXEMPTION-WATER COMPANIES. H-RECALLED FROM COM; H-RE-REF COM ON FINANCE.
- H. 297 FISHING IN MULTI-STATE LAKES. H-REPTD FAV.

LOCAL BILLS

- S. 91 (ONSLow) ONSLOW JUNK DEALERS. H-REPTD FAV.
- H. 71 (CRAVEN) FIVE DAY BANKS.(2/25) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- #H. 110 (SURRY) PILOT MOUNTAIN CHARTER.(2/10) RATIFIED CH. 28.
- #H. 127 (GUILFORD) AMEND GREENSBORO CHARTER.(2/12) RATIFIED CH. 29.
- H. 157 (DURHAM) DURHAM FIREMEN'S RETIREMENT. H-REPTD FAV.
- H. 161 (HARNETT) ANGLIER LIQUOR STORE ALLOCATION.(2/22) S-REC FROM HOUSE; S-REF TO COM ON ABC.
- H. 206 (WILKES) N. WILKESBORO LAND SALE. H-REPTD FAV AS AMENDED.
- H. 215 (MADISON) LIQUOR SALES-1 GALLON. H-REPTD FAV AS AMENDED.
- H. 221 (ALAMANCE) BURLINGTON REALTY SALE. H-REPTD FAV.
- H. 233 (CARTERET) MOREHEAD CITY STREET ASSESSMENTS. H-REPTD FAV.
- H. 234 (CHEROKEE) CHEROKEE ELECTIONS. H-REPTD FAV.
- H. 242 (NASH) NASHVILLE RETIREMENT SYSTEM. H-REPTD FAV.
- H. 251 (BEAUFORT) BEAUFORT GAME HUNTING. H-REPTD FAV.
- H. 269 (ROCKINGHAM) ROCKINGHAM ED. BD. PAY. H-REPTD FAV.
- H. 277 (PAMLICO) HAVELOCK COMM'RS ELECTIONS. H-REPTD FAV AS AMENDED.
- H. 278 (COLUMBUS) SPECIAL DEPUTY SHERIFFS. H-REPTD FAV.

Next Sessions of Senate and House: 10:00 a.m., Friday, February 26, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

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STATE LEGISLATIVE BUILDING
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BULLETIN NO. 33

-229-

FRIDAY, FEBRUARY 26, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 187 Limited water diversions (Iden. H 330)
Introducers: Allen and others

GS 143, 153, 160
Sent to CONS & DEV

"To permit limited diversions of water for public water supply purposes with the approval of the State Board of Water and Air Resources." Amends G.S. 153-291 (which relates to county water supply systems) and 160-257.1 (which relates to municipal water supply systems) to extend the present authority of the NC Board of Water and Air Resources (BWAR) to review and administratively approve transwatershed diversions of water for water supply purposes, so that said authority would include diversions by any city or county water system serving substantially as a regional water supply agency. (Now, BWAR authorized to administratively approve diversions by water authorities or by certain joint water systems involving two or more counties or municipalities.) Additional authority would be subject to the same procedural safeguards applying to water authorities under GS 162A-7 (relating to BWAR's judgment as to necessity of project, whether project will promote water conservation and storage, extent of probable detriment to present and potential water users in the watershed, feasibility of alternative approaches and their detriments and other factors providing maximum beneficial use). Additional authority would be subject also to additional safeguard that a city or county whose diversion is approved may only divert excess water that has been impounded, and not normal stream-flow.

Repeals GS 153-293, which limits the availability of existing procedures for administrative review and approval of diversions by a joint city or county water supply agency to cases where the river from which a diversion is made is located entirely within NC downstream from the point of diversion (i.e., rivers emptying into the Atlantic Ocean within NC).

Requires that city or counties eligible for approval of diversions under this Act serve "regional needs" as defined by S 178 (digested in Bulletin No. 28, p. 190). Defines "excess water" in the same manner as S 113 (right of withdrawal-stored water, digested in Bulletin No. 19, p. 123).

S 188 Peace warrant repeal
Introducer: Gudger

GS 15
Sent to COURTS

"To repeal the General Statute provisions regarding peace warrants." Repeals GS 15-28 through 15-38 (peace warrants--issuance, procedures).

S 189 Landscape architect corporations
Introducer: Gudger

GS 55B, 89A
Sent to POLICIES

"To allow landscape architects to incorporate under the Professional Corporation Act of 1969." Amends GS 55B-2(6) (defines professional service) and GS 55B-14 (types



of professional service) to include landscape architects among list of professional groups that are covered by Professional Corporation Act, and to permit single corporation to be organized for architectural, landscape architectural, engineering or land surveying services (adds landscape architects to this group).

S 190 Indecent liberties-children
Introducers: Staton and Allsbrook

GS 14
Sent to JUDIC 2

"To amend the law concerning taking indecent liberties with children." Rewrites GS 14-202.1 to make it unlawful to take indecent liberties with or commit lewd act upon children of either sex under age of 16 with intent to "arouse or gratify sexual desires in himself or another" (now, with intent to "commit an unnatural sexual act"). Makes first offense misdemeanor punishable by fine or imprisonment for not more than two years or both, and second offense a felony punishable by fine or imprisonment for not more than 10 years or both (now, "shall, for the first offense, be guilty of a misdemeanor and for a second or subsequent offense shall be guilty of a felony, and shall be fined or imprisoned in the discretion of the court").

HOUSE

H 320 Doctors' speed limits
Introducer: Collins

GS 20
HY SAFETY

"To allow medical doctors traveling in emergency situations to use vehicles equipped with red lights and to exceed the speed laws." Adds "vehicles operated by medical doctors in emergencies" to those permitted to (a) use red lights on vehicles under GS 20-130.1 and (b) exceed speed limits under GS 20-145.

H 321 Mixed drinks on premises-2
Introducer: Hunt

GS 18
Sent to ABC

"To amend Chapter 18 of the General Statutes to provide for the sale of mixed beverages in North Carolina and to place certain limitations upon 'brown bagging'." Repeals GS 18-51(3), (5), and (8) (prescribing conditions for possession and consumption of alcoholic beverages at designated places).

Rewrites GS 18-51(4) as new (3) to permit, subject to rules and regulations adopted by NC ABC Board, person entertaining guests on special occasion to possess alcohol beverages in excess of 1 gallon provided it is for use and consumption of himself and bona fide guests and not for sale or barter, and it is served at his personal residence or premises under his exclusive control or he is using commercial establishment for private party or meeting limited to members or guests of the person, group, association or organization holding the meeting, and establishment has obtained prior approval from NC ABC Board for this purpose. (Requires Board to use same criteria in determining approval as for issuance, suspension or revocation of permit to retail beer outlets.)

Rewrites GS 18-51(6) as new (4) to make it unlawful for any person to (a) drink or offer or give another alcoholic beverages on premises of county or municipal liquor control store, or on any public street, road or highway, (b) make any public display of alcoholic beverages at athletic contest, or (c) possess, consume or permit possession or consumption upon any premises not authorized by GS Ch. 18 or upon any premises where person has been forbidden or requested by owner or person in charge of premises not to so possess or consume.

Rewrites GS 18-51(7) (c) making all annual permits valid for one year and renewable annually thereafter. Conforms numerically GS 18-51(2), (7), (9). Adds new Art. 14 to Ch. 18. Defines "board", "mixed beverages", "person" and "store" as in S 166, digested in Bulletin No. 28, p. 187 and in H 99, digested in Bulletin No. 12, p. 75. Alters definition of "alcoholic beverages" to mean any beverages (including "mixed beverage") containing more than 14% of alcohol by volume. (Other bills do not specify

percentage.) Adds definition of "licensed premises" as any premises having an inside dining area with seating capacity of at least 36 persons, with separate kitchen facility, engaged primarily in preparing and serving meals or furnishing lodging. Requires such premises to have permit from NC ABC Board. Grants Board "broad" powers to examine premises to determine if they qualify under this Article. Authorizes Board to grant mixed beverage license to qualified premises in any city or county; license authorizing sale and service of mixed drinks in dining area or other private rooms. Makes licensee responsible for any violation of Article by his employees. Permits sale only between 12 noon and 12 midnight. Requires licensee to keep records of purchase and sale (as prescribed by Board). Empowers Board to refuse to grant and to suspend or revoke license for violation of Article or Bd's rules and regulations; requires compliance with hearing procedure in GS 18-137.

Identical with H 99 and S 166 as to following provisions: prohibited acts; procedure for purchase of liquor at ABC stores and its transportation; inspection by Board; reporting violations; violation a misdemeanor; revocation of license; and provisions not exclusive of others in GS Ch. 18.

Adds new provision requiring applications for annual permits be accompanied by non-refundable fee of \$1,500, payable to NC Dep't of Revenue. (For similar bills see H 99, digested in Bulletin No. 12, p. 75; H 178, digested in Bulletin No. 21, p. 136; and S 166, digested in Bulletin No. 28, p. 187.)

H 322 Soft drink tax repeal
Introducers: High and others
GS 105
Sent to FINANCE

"To repeal the 'Soft Drink Tax Act'." Repeals "Soft Drink Tax Act" (GS Ch. 105, Subch. 1, Art. 2B). Effective July 1, 1971. (See also H 323, digested immediately below.)

H 323 Soft drink tax increase
Introducer: Martin
GS 105
Sent to FINANCE

"To increase the tax upon soft drinks." Amends GS 105-113.45 as follows: (1) per-bottle tax under subsection (b) increased from \$.01 to \$.02; (2) per-gallon tax on syrups under subsection (c) increased from \$1.00 to \$2.00, and per-ounce tax on syrups increased from 4/5¢ to 1.6¢; and (3) per ounce tax on powders and base products increased from \$.01 to \$.02. Effective July 1, 1971. (See also H 322, digested immediately above.)

H 324 Cigarette tax increase-2
Introducers: Harkins and others
GS 105
Sent to FINANCE

"To amend the cigarette tax act by increasing the tax upon cigarettes." Amends GS 105-113.5 by increasing tax from one to two mills per individual cigarette. (See also H 104, digested in Bulletin No. 12, p. 79.) Effective July 1, 1971.

H 325 Banks 5-day week (Iden. S 173)
Introducers: Barker and others
GS 53
Sent to BANKS

"Relating to the operation of banks on a five-day week basis." Identical with S 173, digested in Bulletin No. 30, p. 203. (See also H 71, digested in Bulletin No. 9, p. 55, as amended--see Bulletin No. 32, p. 225.)

H 326 School access road acquisition
Introducer: R. Brown

GS 115, 136
Sent to ROADS

"To permit local boards of education to acquire property for access roads to school buildings suitable for school buses." Amends GS 115-125 to permit condemnation proceedings by county and city boards of education for acquisition of sites for school building access roads suitable for school buses.

H 327 Paving public school driveways - 2
Introducer: R. Brown

GS 136, 115
Sent to ROADS

"To authorize the State Highway Commission to pave driveways leading to all public school buildings." Amends GS 136-18(17) to authorize Comm'n to construct, pave and maintain school bus driveways for public school buses at public schools, and all other driveways and entrances to public schools leading from public roads (now, Comm'n authorized to maintain only parking facilities and roads leading from State-maintained public roads to schools). (See also H 112, digested in Bulletin No. 13, p. 85.)

H 328 Firehouse driveway paving
Introducer: R. Brown

GS 136
Sent to ROADS

"To authorize the State Highway Commission to pave driveways leading to rural fire district firehouses and to rescue squad facilities." Adds new subsection (24) to GS 136-18 authorizing Comm'n to pave driveways leading from State-maintained rural roads to rural district firehouses approved by NC Fire Ins. Rating Bureau and to facilities of rescue squads furnishing ambulance services approved by NC Bd. of Health.

H 329 Mixed drink license fees
Introducers: DeBruhl and others

GS 18
Sent to ABC

"To amend Chapter 18 of the General Statutes to establish certain payments and fees with respect to the purchase and sale of beverages pursuant to Article 14 of Chapter 18 of the General Statutes." Adds new GS Ch. 18, Art. 15 listing payments and fees related to "liquor by drink." (New GS Ch. 18, Art. 15 assumes new GS Ch. 18, Art. 14 will be enacted. Pending bills creating Article 14 are S 166, digested in Bulletin No. 28, p. 187 and H 99, digested in Bulletin No. 12, p. 75; see also, on "brown bagging," H 178, digested in Bulletin No. 21, p. 136 and H 321, digested above in today's Bulletin.)

Provides purchase of alcoholic beverages from ABC store for sale in mixed drink establishment to include, in addition to regular purchase price (additional funds to be part of proceeds of store), following costs: (1) \$1.00 for each 1/5 gallon container; (2) \$1.25 for each quart container; (3) \$2.50 for each 1/2 gallon container; and (4) \$5.00 for each gallon container.

Provides mixed drink licensee to pay to NC Comm'r of Revenue annual license fee as follows: (1) \$5.00 per seat for all seats to and including 100; (2) \$2.50 per seat for seats 101 through 200; (3) \$1.25 per seat for seats 201 through 300; (4) \$1.00 per seat for seats 301 through seat 500; and (5) 50¢ for each seat over 500.

Defines "seat" to mean seat located in room utilized for service of full meals on all or substantially all days when meals are served by establishment; "seat" does not include seat not located in such room or seat in room in which licensee agrees with NC ABC Board not to serve mixed beverages and which is specifically excluded from license. Forbids any city, town or other governmental unit from requiring payment by licensee of any additional license or privilege tax for activities authorized by license under GS Ch. 18, proposed Art. 14.

H 330 Limited water diversions (Iden. S 187) GS 143, 153, 160
Introducers: Stevens and others Sent to WATER

"To permit limited diversions of water for public water supply purposes with the approval of the State Board of Water and Air Resources." Iden. with S 187, digested in Senate section of today's Bulletin.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 331 Fairmont School Board election ROBESON
Introducers: J. Johnson, Speros, Odom, McFadyen Sent to EDUCATN

"To provide for a non-partisan election for members of the Board of Trustees of the Fairmont Administrative School Unit." Rewrites Sec. 3, Ch. 256, Public-Local Laws of 1939, to provide for new system of election of members of school board, as follows: election to be non-partisan; seven members to be elected at large for staggered terms of 4 years. Prohibits primary election (election by plurality). Prohibits absentee ballots. Allows board to fill vacancies in its membership. Specifies which members of current board will serve for periods designated in Act.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 46 Council of State quorum (digested in Bulletin No. 9, p. 53)
Technical amendment adopted in House 2/25/71.

HOUSE BILLS

H 163 Age 18-medical treatment consent (digested in Bulletin No. 19, p. 125)
Amendment adopted in Senate 2/26/71 adds "emancipated" minors to minors 18 or older who may consent to medical treatment.

H 187 Realty brokers and salesmen (digested in Bulletin No. 22, p. 143)
Amendment adopted in House 2/26/71 stipulates Board authorized to **expend** expense reserve funds as defined in GS 93A-3(b) for purpose of education and information programs. (Original bill did not specify which funds could be used.)

H 196 (Joint Resolution) Piedmont rapid transit (Iden. S 130) (digested in Bulletin No. 149, p. 150)
Technical amendment adopted in House 2/26/71.

H 206 N. Wilkesboro land sale (digested in Bulletin No. 23, p. 154)
Amendment adopted in House 2/26/71 deletes provision that property not be sold for less than fair market value.

H 215 Liquor sales-1 gallon (digested in Bulletin No. 23, p. 154)
Technical amendment adopted in House 2/26/71.

H 277 Havelock comm'rs elections (digested in Bulletin No. 28, p. 193)
Amendment adopted in House 2/26/71 specifies that "three" candidates for Commissioner receiving largest number of votes to be elected for 4-yr terms.

SENATE AND HOUSE

CALENDAR ACTION

FEB.26,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 46 COUNCIL OF STATE QUORUM.(2/25) S-REC TO CONCUR IN H AMEND;
S-CONCURRED IN H AMEND.
S. 81 LOCAL GOVERNMENT SALES TAX ACT.(2/19, 2/23) H-REPTD FAV AS
AMENDED.
#S. 88 FIREMEN'S PENSION INVESTMENTS.(2/10) RATIFIED CH. 30.
S. 110 EXTEND LIMITED DRIVING PERMITS. S-FLOOR AMEND FAILED; S-PASSED
3RD READING.
S. 148 NAMING STATE BUILDINGS. H-REC FROM SENATE; H-REF TO COM ON
ST GOVT.
S. 154 NOTARIES' ACTS VALIDATED. H-REC FROM SENATE; H-REF TO COM ON
JUDIC 2.
S. 161 CAPITOL RESTORATION CONTRACTS.(2/25) H-REC FROM SENATE; H-REF
TO COM ON JUDIC 2.
S. 170 COUNCIL OF STATE MINUTES. H-REC FROM SENATE; H-REF TO COM ON
ST GOVT.

H. 34 STATE AIRPORT AID.(2/24) S-REC FROM HOUSE; S-REF TO COM ON
CONS&DEV.
H. 73 EMERGENCY FINANCE ACT OF 1971. H-PASSED 3RD READING.
H. 92 DIAGNOSTIC LAB-COUNTY FUNDS. H-REPTD FAV.
H. 103 TAX REFUND-SEWERAGE DISTRICTS. S-REC FROM HOUSE; S-REF TO
COM ON FINANCE.
#H. 114 LOCAL GOVERNMENT SALES TAX ACT. H-REPTD UNFAV.
H. 126 REDEFINED 1ST SECURITY INSTRUMENT. S-REC FROM HOUSE; S-REF
TO COM ON BANKING.
H. 134 MOTOR VEHICLES ON COUNTY PROPERTY.(2/23) S-REC FROM HOUSE;
S-REF TO COM ON ROADS.
H. 141 70 MPH MAXIMUM-CERTAIN HIGHWAYS. S-REC FROM HOUSE; S-REF TO
COM ON HY SAFTY.
#H. 145 SMOKES, SALES TO MINORS. RATIFIED CH. 31.
H. 163 AGE 18 MEDICAL TREATMENT CONSENT.(2/26) S-COM AMEND ADOPTED;
S-PASSED 2ND & 3RD READING.
H. 172 MENTAL CARE-PARENTS' LIABILITY. H-REPTD FAV; H-RE-REF COM ON
APPROPRN.
H. 177 EXTEND LIMITING DRIVING PERMITS. H-POSTPONED TO MAR 2.
H. 183 LAW OFFICERS' RETIREMENT FUND. S-REC FROM HOUSE; S-REF TO
COM ON CORRECTN.
H. 187 REALTY BROKERS AND SALESMEN.(2/26) H-COM AMEND ADOPTED;
H-PASSED 2ND & 3RD READING.

- H. 188 BLANK AUTO TITLES. S-REC FROM HOUSE; S-REF TO COM ON ROADS.
- H. 190 INS. LAPSE-AUTO REGISTRATION. S-REC FROM HOUSE; S-REF TO COM ON INSUR.
- H. 196 (J.RES.) PIEDMONT RAPID TRANSIT.(2/26) H-COM AMEND ADOPTED; H-RE-REF COM ON APPROPN.
- H. 211 NO WARRANTY ON HUMAN TISSUE. H-RE-REF COM ON JUDIC 1.
- H. 214 OBSTRUCTING HIGHWAYS.(2/25) S-REC FROM HOUSE; S-REF TO COM ON ROADS.
- H. 219 TRANSCRIPT COSTS-STATE APPEALS.(2/19) S-PLACED ON CAL FOR MAR 3.
- H. 235 STATE CAPITAL CHALLENGES. H-PASSED 3RD READING.
- H. 256 VALIDATE CONTRACTS-6% INTEREST. H-PASSED 3RD READING.
- H. 257 CORPORATE DEEDS VALIDATED-1. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
- H. 258 CORPORATE DEEDS VALIDATED-2. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
- H. 261 ORANGE BOARD OF EDUCATION. H-PASSED 2ND & 3RD READING.
- H. 264 CRIMINAL APPEALS. S-REC FROM HOUSE; S-REF TO COM ON COURTS.
- H. 297 FISHING IN MULTI-STATE LAKES. H-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 91 (ONSLOW) ONSLOW JUNK DEALERS. H-PASSED 2ND & 3RD READING.
- S. 138 (MECKLENBURG) BUFFER ZONES-PROTEST AMENDMENTS.(2/23, 2/24) H-REC FROM SENATE; H-REF TO COM ON JUDIC 1.

- H. 71 (CRAVEN) FIVE DAY BANKS.(2/25) H-REC TO CONCUR IN S AMEND.
- H. 157 (DURHAM) DURHAM FIREMEN'S RETIREMENT. H-PASSED 2ND & 3RD READING.
- H. 206 (WILKES) N. WILKESBORO LAND SALE.(2/26) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 215 (MADISON) LIQUOR SALES-1 GALLON.(2/26) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 221 (ALAMANCE) BURLINGTON REALTY SALE. H-PASSED 2ND & 3RD READING.
- H. 233 (CARTERET) MOREHEAD CITY STREET ASSESSMENTS. H-PASSED 2ND READING.
- H. 234 (CHEROKEE) CHEROKEE ELECTIONS. H-PASSED 2ND & 3RD READING.
- H. 242 (NASH) NASHVILLE RETIREMENT SYSTEM. H-PASSED 2ND & 3RD READING.
- H. 251 (BEAUFORT) BEAUFORT GAME HUNTING. H-PASSED 2ND & 3RD READING.
- H. 269 (ROCKINGHAM) ROCKINGHAM ED. BD. PAY. H-PASSED 2ND & 3RD READING.
- H. 277 (PAMLICO) HAVELOCK COMM'RS ELECTIONS.(2/26) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 278 (COLUMBUS) SPECIAL DEPUTY SHERIFFS. H-PASSED 2ND & 3RD READING.

Next Sessions of Senate and House: 10:00 a.m., Saturday, February 27, 1971; 8:00 p.m., Monday, March 1, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

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BULLETIN NO. 34

-237-

MONDAY, MARCH 1, 1971

Note: The Senate convened at 9:30 a.m. and the House at 10:00 a.m. on Saturday, February 27, 1971, for consideration of local bills only. No bills were introduced and no calendar action was taken in either Chamber.

PUBLIC BILLS INTRODUCED

SENATE

S 191 (Joint Resolution) Honoring Mt. Airy band
Introducer: Folger

MISC RES
Passed three readings and
sent to House

"Honoring the Mt. Airy High School Marching Band." As title indicates.

S 192 Child placement limitation
Introducer: Staton

GS 7A, 48
Sent to RESOURCE

"To amend General Statutes 7A-286(2)b. relating to custody of a child."

As title indicates, provides that in placing delinquent, undisciplined, dependent or neglected children under its jurisdiction, a district court may not place a child with any person with whom the child had been previously placed by a county director of social services unless the director consents to such placement.

S 193 Adoption consent procedures
Introducer: Staton

GS 48
Sent to RESOURCE

"To amend General Statutes 48-7, relating to when consent of parents or guardians necessary." Amends GS 48-7(a) to add to persons who must be a party of record to an adoption proceeding and must give written consent to the adoption "county directors of social services of the county in which the mother resides or the county in which the child was born, or in which the child resides, or the director of a private child placing agency duly licensed by the State Board of Social Services", except in cases in which one of petitioners for adoption is related by blood to child, or where petition is for adoption of a step-child, or where one of petitioners is putative father of child and petition is filed in accordance with GS 48-4(d) (adoption of children born out of wedlock), or where child is at least 12 years old and has resided with petitioners for at least 5 years prior to filing of the petition and consents to adoption.

S 194 Child placement sponsors
Introducer: Staton

GS 48
Sent to RESOURCE

"To protect children, natural parents and adoptive parents in the placement of children for adoption and to amend Chapter 48 of the General Statutes relating to the adoption of minors." Adds new GS 48-4.1 to provide that all placements of



children for adoption pursuant to GS Ch. 48 must be made by county department of social services or by a duly licensed child placing agency in NC, but that this shall not interfere with or prohibit placement where child is placed in home of person to whom child is related as grandchild, great grandchild, nephew or niece, great-nephew or great niece, brother or sister or step child, or where one of petitioners is putative father of child and petition is pursuant to GS 48-4(d), or where child is at least 12 years old and has lived with petitioners for 5 years prior to filing of petition and consents to adoption. Violation of section is misdemeanor, punishable in discretion of court.

S 195 Livestock law rewrite
Introducers: Kirby and Strickland

GS 68
Sent to JUDIC 2

"To amend Chapter 68 of the General Statutes relating to the containment of livestock." Revises livestock law making it applicable to entire State, rewriting GS 68-15 thru -24 and repealing Arts. 1 and 2 of GS 68 and GS 68-25 thru -41. (Now, local elections required). Defines livestock to include equine animals, bovine animals, sheep, goats, swine, and domestic fowls. (Now, horses, mules, colts, cows, calves, sheep, goats, jennets, neat cattle, swine, and geese.) Provides for misdemeanor if anyone permits livestock to run at large, punishable by fine up to \$500 or imprisonment up to six months, or both. (Now, \$50/30 days.) Permits any person to impound livestock running at large and to recover from owner reasonable cost of maintenance and for damage done by livestock; permits retention and use of livestock until such recovery. (Now, \$1 per animal plus 50¢ per day, with right of use.) Requires impounder, if owner becomes known, to give actual notice to owner immediately and to then make demands for damages. Provides for determination of damages by three disinterested landowners, one selected by owner, one by impounder, the third to be selected by first two; if no agreement reached, clerk of superior court in county of impoundment to select referee. Provides that such determination of cost and damages is final. Provides for sale pursuant to GS 25-7-210(2) (Enforcement of warehouseman's lien) if owner fails to redeem livestock within three days (now, two days) after notice or within three days after determination of cost and damages, or if owner is unknown. Provides for proceeds of sale to pay cost and damages of impounder, balance to owner, if known, or if unknown, to school fund of county of impoundment. Provides for misdemeanor punishable by fine up to \$500 or imprisonment up to six months, or both (now, \$50/30 days) if any person releases lawfully impounded livestock without permission of impounder or receives such livestock, knowing it was unlawfully released. Provides for misdemeanor punishable by fine up to \$500 or imprisonment up to six months or both (now, \$50/30 days) if impounder fails to supply reasonably adequate quantity of good and wholesome feed and water. Permits any person to enter area of impoundment to supply feed and water, if livestock not provided same for 24 hrs., without liability in trespass and allows recovery for cost of such feed and water from owner, if known, or if unknown, from impounder. Effective, Oct. 1, 1971.

S 196 (Joint Resolution) Neckties
Introducer: Crawford

MISC RES
Sent to CONGRESS

"Regarding neckties." Recommends 2-1/2 inch width "rule of reason" for neckties.

HOUSE

H 332 Joint tenancy in stocks
Introducer: Paschall

GS 41
Sent to JUDIC 1

"To amend G.S. 41-2.2 so as to provide for joint ownership of stock and investment securities between any two or more persons." Extends to any two or more

persons (now, only to husband and wife) application of cited section, which authorizes joint tenancy with rights of survivorship in corporate stock or investment securities and spells out consequences of such joint ownership.

H 333 Charitable solicitation licenses
Introducer: Paschall

GS 108
Sent to JUDIC 1

"To provide for the issuance of perpetual licenses allowing the solicitation of contributions to established charitable organizations." Adds new sentence to GS 108-69(f), (relating to issuance of annual solicitation licenses to charities by Comm'r of Social Services), to provide that any charitable organization continuously licensed for preceding 12 months shall be granted perpetual license if it complies with "relevant rules and regulations" of Comm'r. Effective July 1, 1971.

H 334 Validate marital contracts
Introducer: S. Johnson

GS 52
Sent to JUDIC 1

"To amend G.S. 52-8 to validate marital contracts through June 20, 1969." As title indicates, amends GS 52-8, to validate contracts between husband and wife where wife not privately examined, where contracts entered into between Jan. 1, 1930 and June 20, 1969 (now, 1963).

H 335 Day-care facilities-5
Introducer: Mitchell

GS 110
Sent to JUDIC 2

"Providing for the fair and equitable regulation and licensing of private enterprise child day-care centers and promoting the health and safety of children in such centers." With the following exceptions, identical with H 241, digested in Bulletin No. 26, p. 173: (a) Child Day-Care Licensing Board to consist of 11 members, four (five in H 241) to be operators of privately owned day-care facilities (of the 4, each to be operator of facility of different size than other three), one to be "parent of a day-care plan," one "a member of the Parent-Teachers Association," two to be parents with children enrolled in day-care centers, and three to be public members (Comm'r of Insurance, NC Health Dir, and Supt of Public Instruction--omits Comm'r of Soc. Services, who was included in H 241.) (b) No facility to care for more than 30 children in one group, but if caring for more than 31, to provide two or more separate groups (under H 241, maximum number is 25 in one group and two or more separate groups if more than 26). (c) Tolerance of 15% allowed for absenteeism and withdrawals (under H 241, tolerance of 10%), and 30% tolerance for after-school care (under H 241, tolerance of 20%). (d) Privilege license tax of \$1.75 per child (under H 241, \$2.00 per child). (e) Excludes care by "relatives" from definition of day care; specifies that "day care facility" means private enterprise and excludes non-profit enterprises (not excluded in H 241); provides that a "day care plan" applies to care for more than one child and less than seven (six in H 241). (f) Adds provision for unannounced spot checks of facilities by health and parental personnel; prohibits waiver of health and safety standards in individual cases; requires adequate insurance plan (none of these requirements in H 241); and provides for one lavatory per three (two in H 241) toilets. (g) Adds passageways to calculation of usable floor space; provides for 150 cu. ft. per child (160 in H 241) of airspace for rest periods, and 70 sq. ft. per child (75 in H 241) of outdoor play area. (h) Eliminates requirement (of H 241) for reports showing conformity to local and state Social Services standards. (On same subject, see S 10, digested in Bulletin No. 1, p. 3-4; S 72 and H 100 (identical with each other), digested in Bulletin No. 12, p. 77-78; and S 126, digested in Bulletin No. 22, p. 141-142.)

H 336 Teacher vacation-2
Introducers: Payne and Hunt

GS 115
Sent to EDUCATN

"To amend G.S. 115-11 empowering the State Board of Education to make provisions for paid vacation for all public school employees." Adds new subsection (19) to GS 115-11 providing each public school employee accumulates minimum of 1.25 days of vacation for each month employed. Authorizes NC Bd. of Educ. to provide for vacation with pay for each employee. (On same subject, see H 217, digested in Bulletin No. 23, p. 153, different only with respect to use of word "holiday" in lieu of "vacation" in title.)

LOCAL BILLS INTRODUCED

SENATE

S 197 County Bicentennial
Introducer: Bailey and Coggins

WAKE
Sent to LOC GOVT

"To authorize the appropriation of nontax revenues by Wake County to the Wake County Bicentennial Commission for necessary expenses." Authorizes appropriation of nontax revenues for Comm'n for necessary expenses in carrying out official duties, compensating necessary personnel and meeting other necessary expenses. Requires Comm'n to file with County Comm'rs report of expenses within 30 days after anniversary date of SL 1969, Res. 39 establishing Comm'n. As title indicates.

HOUSE

None

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 163 Beaufort bonds (digested in Bulletin No. 28, p. 193)

Technical amendment adopted in Senate.

HOUSE BILLS

None

SENATE AND HOUSE

CALENDAR ACTION

MAR.01,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 51 HIGHWAY LITTER FINE. S-REPTD FAV.
S. 81 LOCAL GOVERNMENT SALES TAX ACT. H-PLACED ON CAL. MAR. 2.
S. 110 EXTEND LIMITED DRIVING PERMITS. H-REC FROM SENATE; H-REF TO COM ON HY SAFTY; H-PLACED ON CAL FOR MAR.2.
S. 143 OBSTRUCTING HIGHWAYS. S-REPTD FAV AS AMENDED.
S. 191 (J.RES.) HONORING MT. AIRY BAND. S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PLACED ON CAL FOR MAR.2.

H. 73 EMERGENCY FINANCE ACT OF 1971. S-REC FROM HOUSE; S-REF TO COM ON FINANCE.
H. 92 DIAGNOSTIC LAB-COUNTY FUNDS. H-PASSED 2ND & 3RD READING.
H. 159 PERSONALIZED PLATES-PICKUPS-2. S-REPTD FAV.
H. 163 AGE 18 MEDICAL TREATMENT CONSENT.(2/26) H-REC TO CONCUR IN S; H-CONCURRED IN S AMEND.
H. 187 REALTY BROKERS AND SALESMEN.(2/26) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.
H. 235 STATE CAPITAL CHALLENGES. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
H. 256 VALIDATE CONTRACTS-6% INTEREST. S-REC FROM HOUSE; S-REF TO COM ON BANKING.
H. 261 ORANGE BOARD OF EDUCATION. S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
H. 297 FISHING IN MULTI-STATE LAKES. S-REC FROM HOUSE; S-REF TO COM ON WILDLIFE.

LOCAL BILLS

- S. 132 (HAYWOOD) COUNTY MANAGER'S POWERS. S-REPTD FAV AS AMENDED.
S. 163 (CARTERET) BEAUFORT BONDS.(3/01) S-REPTD FAV AS AMENDED; S-COM AMEND ADOPTED; S-PASSED 2ND READING.
S. 185 (MECKLENBURG) MINTING MINT HILL. S-REPTD FAV AS AMENDED.

H. 27 (WILSON) COUNTY AUDITOR REPEAL. S-REPTD FAV.
H. 28 (WILSON) STANTONSBURG INVESTMENTS. S-REPTD FAV.
H. 45 (WILKES) NORTH WILKESBORO RETIREMENT. S-REPTD FAV.
H. 71 (CRAVEN) FIVE DAY BANKS.(2/25) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
H. 90 (STOKES) COUNTY ACCN'T AS TREAS.. S-REPTD FAV.
H. 109 (WILKES) WILKESBORO RETIREMENT. S-REPTD FAV.
H. 139 (RUTHERFORD) FOREST CITY MANAGER ELECTION. S-REPTD FAV.

- H. 157 (DURHAM) DURHAM FIREMEN'S RETIREMENT. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 166 (ORANGE) CHAPEL HILL RESERVE FUND. S-REPTD FAV.
- H. 167 (FORSYTH) TAX LIEN LAW-FORSYTH EXEMPT. S-REPTD FAV.
- H. 168 (VANCE) GARBAGE COLLECTION-VANCE COUNTY. S-REPTD FAV.
- H. 194 (ORANGE) CHAPEL HILL POLICE JURISDICTION. S-REPTD FAV.
- H. 200 (PERQUIMANS) REGISTER-FILING OF PAPERS. S-REPTD FAV.
- H. 201 (WAYNE) COURTHOUSE TAX FUND. S-REPTD FAV.
- H. 207 (MECKLENBURG) CHARLOTTE REFUSE DISPOSAL. S-REPTD FAV.
- H. 208 (MECKLENBURG) CHARLOTTE CIVIL SERVICE.(2/19) S-REPTD FAV.
- H. 215 (MADISON) LIQUOR SALES-1 GALLON.(2/26) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 221 (ALAMANCE) BURLINGTON REALTY SALE. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 224 (YANCEY) PRIMARY ELECTIONS. S-REPTD FAV.
- H. 233 (CARTERET) MOREHEAD CITY STREET ASSESSMENTS. H-PASSED 3RD READING.
- H. 234 (CHEROKEE) CHEROKEE ELECTIONS. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 242 (NASH) NASHVILLE RETIREMENT SYSTEM. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 251 (BEAUFORT) BEAUFORT GAME HUNTING. S-REC FROM HOUSE; S-REF TO COM ON WILDLIFE.
- H. 269 (ROCKINGHAM) ROCKINGHAM ED. BD. PAY. S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
- H. 278 (COLUMBUS) SPECIAL DEPUTY SHERIFFS. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

Next sessions of Senate and House: 12 noon, Tuesday, March 2, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

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BULLETIN NO. 35

-243-

TUESDAY, MARCH 2, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 198 12 member grand jury
Introducer: Bailey

CONSTITUTION, GS 9
Sent to COURTS

"To amend the Constitution of North Carolina as amended effective July 1, 1971, to reduce the number of grand jurors from eighteen to twelve with a requirement that at least eight members vote to return a true bill of indictment." Adds sentence to Art. I, Sec. 22 of 1971 Constitution, providing as title indicates (present provision for 18 members is in GS 9-22). Proposed amendment to be voted on at general election of November 1972. If majority of votes in favor of amendment, amendment to be enrolled and certified by Secretary of State and to become effective Jan. 1, 1973.

S 199 Landscape arch. grandfather
Introducer: Gudger

GS 89A
Sent MFG LABR

"To extend the grandfather clause for registration of landscape architects." Amends GS 89A-4(d) to permit persons engaged in practice of landscape architecture to be certified without examination if they present evidence that they were engaged in practice prior to July 1, 1968, and submit their applications prior to Dec. 31, 1971 (now July 1, 1970).

S 200 Arrest without warrant
Introducers: Staton and Allsbrook

GS 15
Sent to JUDIC 2

"To amend the law of arrest without a warrant." Rewrites GS 15-41 to permit law enforcement officer to arrest without warrant when he has reasonable grounds to believe (1) the person to be arrested is committing or has committed a crime, or (2) a warrant for the person's arrest has been issued within NC. (Now, when felony or misdemeanor committed in officer's presence, or officer has reasonable grounds to believe so, or officer has reasonable grounds to believe person has committed felony and will evade arrest unless taken into custody.)

S 201 Assault law rewrite
Introducers: Staton and Allsbrook

GS 14
Sent to JUDIC 1

"To amend the assault laws." Revises assault laws by rewriting GS 14-32 and 14-33, making the following substantive changes: (1) deletes reference to "fire-arm" and deadly weapon "per se" in GS 14-32(a) and (b); (2) makes attempting to inflict serious damage statutory misdemeanor punishable by fine up to \$500 imprisonment up to six months, or both; (3) makes attempting to inflict serious injury statutory misdemeanor punishable by fine, imprisonment up to 2 years, or both; (4) eliminates as aggravated assault an assault with "means or force likely to inflict serious



injury or serious damage to another", leaving assault with deadly weapon as two-year misdemeanor; and (5) provides that attempt to inflict serious injury or damage includes intentional use of means or force likely to inflict serious injury or damage. Effective Oct. 1, 1971.

S 202 Trucks-mud flaps
Introducer: Flaherty

GS 20
Sent to ROADS

"To require fenders or mud guards on vehicles or combinations of vehicles licensed for more than 4,000 lbs. gross weight." As title indicates. Adds GS 20-122.2, providing as title indicates and requiring that size of protecting devices shall be such as to substantially prevent the projection of rocks, dirt, water or other substances to the rear of the vehicle. Specifies that gross weight includes weight of load on vehicle or combination. Effective July 1, 1971.

S 203 Investment of funds by CSC
Introducer: Folger

GS 2
Sent to COURTS

"Requiring Clerks of Superior Court to invest certain funds held by color of their office." Adds GS 2-54.1 to require CSC to invest funds in his possession in excess of \$5,000 in any one account belonging to minors, incompetents, and insane persons in interest-bearing accounts in any bank or trust company. Adds GS 2-54.2 to require CSC to invest funds in his possession in excess of \$5,000 in any one account and which were paid into his office under GS Ch. 136, Art. 9 (highway condemnation cases) in interest-bearing accounts in any bank or trust company if not withdrawn from his possession within 90 days. Such investments to be made subject to GS 2-56 (CSC may require corporate surety bond of depository institution not covered by FDIC). Makes conforming changes in GS 2-55.

S 204 Wildlife protector retirement (Iden. H 313)
Introducer: Folger

GS 135, 143
Sent to WILDLIFE

"To allow wildlife protectors to transfer membership in the Teachers' and State Employees' Retirement System to the Law Enforcement Officers' Benefit and Retirement Fund." Identical to H 313, digested in Bulletin No. 32 at page 222.

S 205 Game carcass tags (Iden. H 288)
Introducer: Folger

GS 113
Sent to WILDLIFE

"To authorize establishment of a system for tagging the carcasses of big game animals and birds, and for seasonal kill reports relating thereto." Identical to H 288, digested in Bulletin No. 31 at page 209.

S 206 Boat lifesaving device (Iden. H 289)
Introducer: Folger

GS 75A
Sent to WILDLIFE

"To eliminate certain local exceptions to compliance with the general law relating to lighting and lifesaving devices on boats propelled by machinery of ten horsepower or less." Identical to H 289, digested in Bulletin No. 31 at page 209.

S 207 Squirrel-bunny sale (Iden. H 290)
Introducer: Folger

GS 113
Sent to WILDLIFE

"To prevent the purchase and sale of rabbits and squirrels." Identical to H 290, digested in Bulletin No. 31 at page 209.

S 208 Bear killing penalty (Iden. H 314)
Introducer: Folger

GS 113
Sent to WILDLIFE

"To increase the penalty for killing bear illegally and to provide for the trapping and disposition of bears committing depredations." Identical to H 314, digested in Bulletin No. 32 at page 222.

S 209 Free oldster fish-hunt license (Iden. H 291)
Introducer: Folger

GS 113
Sent to WILDLIFE

"To amend G.S. 113-95 with respect to combination hunting and fishing licenses of persons seventy years of age or older." Identical to H 291, digested in Bulletin No. 31 at page 210.

S 210 Renal disease program & funds
Introducer: Currie

APPROPRIATION, GS 130
Sent to PUB HLTH

"To amend Chapter 130 of the General Statutes to require the State Board of Health to establish a program for the care and treatment of persons suffering from chronic renal diseases, and making an appropriation therefor." Adds new Art. 27 to GS 130, establishing renal disease control program. Directs NC Bd. of Health to establish program to assist persons suffering from chronic renal disease who require lifesaving care and treatment but who cannot pay for such care on continuing basis. Requires NC Health Dir. to appoint advisory committee to consult with Bd. concerning program; committee to consist of 11 members representing hospitals and medical schools which establish dialysis centers, volunteer agencies interested in kidney diseases, local public health agencies, physicians and the general public; members to serve 4-yr. staggered terms. Authorizes Bd. to develop standards for determining eligibility for care and treatment; assist in developing and expanding care, treatment and prevention programs; extend financial assistance on basis of need to persons suffering from chronic renal diseases for certain costs of care and treatment; assist in equipping dialysis and transplantation centers; and carry out public education program. Creates Renal Disease Fund and appropriates to Bd. \$250,000 in each of fiscal years 1971-2 and 1972-3. Effective July 1, 1971.

HOUSE

H 337 Mobile home title
Introducers: Bumgardner and Ryan

GS 20
Sent to ROADS

"To remove mobile homes in excess of 39 feet in length from the provisions of the Motor Vehicle Certificate of Title Act." As title indicates, amends GS 20-38(10) and 20-51 to exempt mobile homes that provide living or sleeping facilities and have length over 39 feet from registration and certificate of title requirements, and from Motor Vehicle Act of 1937 definition of "house trailer". Effective Dec. 31, 1971.

H 338 Voc Textile School funds
Introducers: Bumgardner and others

APPROPRIATION
Sent to APPROPRN

"To appropriate funds for the addition of an instructional program in dyeing and finishing technology at the North Carolina Vocational Textile School." Appropriates \$320,000 from General Fund to State Board of Education to be expended in Community College budget to establish an instructional program in dyeing and finishing technology at NC Vocational Textile School in Belmont.

H 339 Chemical test refusal revocation-2
Introducer: Harris

GS 20
Sent to HY SAFETY

"To amend G.S. 20-16.2(c) to provide mandatory revocation of the driving privilege in the event of refusal to submit to chemical testing under the implied consent statute." Amends GS 20-16.2(c) to provide that revocation of driving privileges for 60 days for refusal to submit to chemical test for blood alcohol level shall not be restored in less than 60 days in the event person arrested is acquitted of charges of driving under the influence of intoxicating liquor. (Repeals final proviso of subsection (c), which now provides that upon acquittal of driving-under-influence charge, clerk of court is to notify DMV which is to immediately rescind license revocation.) Effective July 1, 1971.

H 340 Sentence credit pending appeal
Introducer: Foley

GS 15
Sent to JUDIC 2

"To amend G.S. 15-186.1 to provide credit for time spent in confinement pending appeal." Rewrites GS 15-186.1 to provide that when judgment containing sentence of imprisonment is appealed, or when appeal is withdrawn, defendant to receive credit for time spent in confinement, the time being deducted from maximum and minimum term of sentence. Provides that when conviction vacated, and new sentence imposed, period of confinement already served to be deducted from maximum and minimum term of new sentence. Requires officer having custody of defendant to certify to Dept. of Correction length of confinement and requires Dept. to compute credit and to inform defendant (substantially revises present provisions.)

H 341 Bank fees to realtors
Introducer: McMichael

GS 53
Sent to BANKS

"To amend G.S. 53-86 relating to the payment of commission by banks to their employees." Amends GS 53-86 to permit payment of fees to licensed attorney or licensed real estate broker or salesman for professional services rendered on account of any transaction to which bank is party when payee is officer, director or employee of bank licensed under GS Ch. 53. (Now, licensed real estate brokers and salesmen who are officers, directors or employees of such banks not permitted to receive such fees.)

H 342 Increase limits, no-bid contracts
Introducers: McMichael and Webster

GS 143
Sent to JUDIC 1

"To amend G.S. 143-131 so as to increase from \$500.00 to \$1,000 the letting of certain public contracts without competitive bids." As title indicates, for State and local government contracts involving construction, repair work, or the purchase of apparatus, supplies, materials, or equipment.

H 343 Hunting on Sunday
Introducer: McMichael

GS 103, 143
Sent to WILDLIFE

"To repeal G.S. 103-2 which related to hunting on Sunday." Repeals GS 103-2, which prohibits hunting on Sunday.

H 344 Concealed weapons-court officers
Introducer: High

GS 14
Sent to JUDIC 2

"To exempt judges and solicitors of the General Court of Justice from the provisions of G.S. 14-269 pertaining to the carrying of concealed weapons." Rewrites GS 14-269 (prohibits carrying concealed weapons) to exempt (a) judges of NC district courts, superior courts, Court of Appeals and Supreme Court, (b) solicitors of Gen'l. Ct. of Justice, and (c) "such other officers of the General Court of Justice" upon a finding of fact and appropriate order by the senior resident judge of their superior court district that the carrying of a concealed weapon is necessary for such officer's self-protection resulting from the execution of their official duties.

H 345 Liability of third party
Introducer: Short

GS 97
Sent to JUDIC 2

"To amend G.S. 97-10.2(c) regarding the procedure for enforcing the liability of third parties so as to provide that either the employee or employer shall have the right to institute proceedings to enforce the liability of the third party." As title indicates, amends Workmen's Compensation Act to provide that where employer has filed written admission of liability, and settlement of the claim or summons has not been issued within 12 months of injury or death, then either employee or employer may enforce liability against third party (now, right is only in employer), and either one may settle with 3rd party and give release of claims against 3rd party.

H 347 Abolishment of coroner
Introducer: C. Smith

GS 152
Sent to LOC GOVT

"To empower county commissioners to abolish the office of coroner." Amends GS 152-1 to empower county commissioners to abolish the office of coroner at any time.

H 348 Teacher holidays
Introducers: Payne and others

GS 115
Sent to EDUCATN

"To amend G.S. 115-11 empowering the State Board of Education to make provisions for paid holidays for all public school employees." Adds GS 115-11(19), authorizing Board of Education, in its discretion, to provide for paid holidays for public school employees. Provides public school employees entitled to same paid holidays as all other State employees. Defines "public school employees" as all those certified by Dept. of Public Instruction. (On same subject, see H 217, digested in Bulletin No. 23, p. 153, and H 336, digested in Bulletin No. 34, p. 240 relating to paid vacation.)

H 349 Child placement limitation (Iden. S 192)
Introducer: Twiggs by request

GS 7A
Sent to SOC SERV

"To amend General Statutes 7A-286(2)b. relating to custody of a child." Identical with S 192, digested in Bulletin No. 34, p. 237.

H 350 Adoption consent procedures (Iden. S 193)
Introducer: Twiggs by request

GS 48
Sent to SOC SERV

"To amend General Statutes 48-7, relating to when consent of parents or guardians necessary." Identical with S 193, digested in Bulletin No. 34, p. 237.

H 351 Child placement sponsors (Iden. S 194)
Introducers: Twiggs by request

GS 48
Sent to SOC SERV

"To protect children, natural parents and adoptive parents in the placement of children for adoption and to amend Chapter 48 of the General Statutes relating to the adoption of minors." Identical with S 194, digested in Bulletin No. 34, p. 237-8.

H 353 Protective lenses
Introducer: Harris

GS 90
Sent to JUDIC 2

"To amend Article 17 of Chapter 90 of the General Statutes to prohibit any person from distributing, selling, exchanging or delivering any eyeglass or sunglass frame which contains any form of highly flammable material." Adds new GS 90-255.1 to prohibit distributing, selling, exchanging, delivering, or having in possession with intent to do same, eyeglass frames containing cellulose nitrate or other highly flammable materials. Provides for fine up to \$500 for violation.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 346 Chapel Hill vote, register
Introducer: C. Smith

ORANGE
Sent to LOC GOVT

"To authorize residents of the Town of Chapel Hill residing in Durham County to register with the Orange County Board of Elections for certain purposes." Amends Sec. 2.23 of town charter (Ch. 87, Session Laws of 1961), relating to use of county registrations, to provide that while town uses county registration books, county board of elect. is authorized to register qualified residents of town who reside in Durham County for purposes of voting in town's municipal elections. Sets forth registration procedure.

H 352 Fremont aldermen's terms
Introducers: Chase and Kemp

WAYNE
Sent to LOC GOVT

"To amend Chapter 236 of the Private Laws of 1913 to provide four year overlapping terms of office for the board of aldermen of the Town of Fremont and to provide four year terms of office for the mayor." As title indicates, amends town charter to provide for 4-year overlapping terms for mayor and aldermen rather than uniform 2-year terms. At 1971 election, 2 candidates for aldermen and candidate for mayor receiving most votes to serve 4-year terms, next 3 candidates to serve 2-year terms. In 1973 election and quadrennially thereafter 3 aldermen to be elected for 4-year terms. In 1975 election and quadrennially thereafter 2 aldermen and mayor to be elected for 4-year terms.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 51 Highway litter fine (digested in Bulletin No. 9, p. 54)
Amendment adopted in Senate 3/2/71 changes effective date to Sept. 1, 1971.

S 81 Local government sales tax act (digested in Bulletin No. 13, p. 83).

Amendments to committee substitute, adopted in House 3/2/71, to (a) prohibit absentee ballots in special elections as to adoption and repeal of local sales and use tax; (b) make clarifying change in wording of ballots in special election; (c) delete provision that would prohibit tax, the levy of which has been repealed by voters in special election, from being reimposed and levied within 2 years from date of termination unless approved in subsequent special election; and (d) replace provision that no termination of sales and use tax levied and imposed under Act will be effective until "one full fiscal year shall have elapsed after the date on which the resolution (of bd. of co. comm'rs of taxing county) was adopted," with provision that no termination of such taxes shall be effective until "the end of the fiscal year in which the repeal election was held."

S 132 County manager's powers (digested in Bulletin No. 23, p. 153)

Amendment adopted in Senate 3/2/71 deletes requirement for monthly board approval of county purchases and monthly audit.

S 143 Obstructing highways (digested in Bulletin No. 24, p. 161)

Amendment adopted in Senate 3/2/71 raises penalty for violation from \$50 to \$500.

- S 185 Minting Mint Hill (digested in Bulletin No. 32, p. 224)
Perfecting amendments adopted in Senate 3/2/71.

HOUSE BILLS

- H 18 \$1.60 minimum wage (digested in Bulletin No. 2, p. 11)
Committee substitute adopted in House 3/2/71 amends GS 95-87 to provide that minimum hourly wage shall be \$1.45 from July 1, 1971 to July 1, 1972, and \$1.60 after July 1, 1972. Effective July 1, 1971. (Originally, Jan. 1, 1972.)
- H 160 No exemption-Meat Inspection Act (digested in Bulletin No. 19, p. 124)
Technical amendment adopted in Senate 3/2/71.

SENATE AND HOUSE

CALENDAR ACTION

MAR.02,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
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PUBLIC BILLS

- S. 51 HIGHWAY LITTER FINE.(3/02) S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
S. 70 ACCIDENT REPORTS; FILING TIME. H-REPTD FAV.
S. 81 LOCAL GOVERNMENT SALES TAX ACT.(2/19, 2/23, 3/02) H-COM AMENDS ADOPTED; H-FLOOR AMENDS FAILED; H-PASSED 2ND READING.
S. 114 WORKING HOURS-WOMEN. H-REPTD FAV.
S. 123 FILING LEGITIMATION PETITIONS. S-REPTD FAV.
S. 139 CLERKS-MAGISTRATES', SALARIES. S-REPTD FAV; S-RE-REF COM ON APPROPN.
S. 142 STATE CAPITAL CHALLENGES. S-RECALLED FROM COM; S-RE-REF COM ON JUDIC 1.
S. 143 OBSTRUCTING HIGHWAYS.(3/02) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.

H. 18 \$1.60 MINIMUM WAGE.(3/02) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
H. 92 DIAGNOSTIC LAB-COUNTY FUNDS. S-REC FROM HOUSE; S-REF COM ON APPROPN.
H. 159 PERSONALIZED PLATES-PICKUPS-2. S-PASSED 2ND & 3RD READING.
H. 160 NO EXEMPTION-MEAT INSPECTION ACT.(3/02) S-FLOOR AMEND ADOPTED; S-PASSED 2ND READING.
#H. 163 AGE 18 MEDICAL TREATMENT CONSENT.(2/26) RATIFIED CH. 35.
H. 232 FARM EQUIPMENT WIDTH. H-REPTD FAV AS AMENDED.
H. 236 CLARIFY SIGNALS LAWS. H-RECALLED FROM COM; H-RE-REF COM ON JUDIC 2.
H. 296 ACCIDENT REPORTS; FILING TIME. H-REPTD FAV.
H. 334 VALIDATE MARITAL CONTRACTS. H-REPTD FAV.

LOCAL BILLS

- S. 132 (HAYWOOD) COUNTY MANAGER'S POWERS.(3/02) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
S. 163 (CARTERET) BEAUFORT BONDS.(3/01) S-PASSED 3RD READING; H-REC FROM SENATE; H-PLACED ON CAL FOR MAR 3.
S. 185 (MECKLENBURG) MINTING MINT HILL.(3/02) S-COM AMEND ADOPTED; S-PASSED 2ND READING.

H. 27 (WILSON) COUNTY AUDITOR REPEAL. S-PASSED 2ND & 3RD READING.

- H. 28 (WILSON) STANTONSBURG INVESTMENTS. S-PASSED 2ND & 3RD READING.
- H. 31 (WAYNE) COUNTY BOND FEES LIMIT.(2/11) S-REPTD FAV.
- H. 45 (WILKES) NORTH WILKESBORO RETIREMENT. S-PASSED 2ND & 3RD READING.
- #H. 71 (CRAVEN) FIVE DAY BANKS.(2/25) RATIFIED CH. 34.
- H. 90 (STOKES) COUNTY ACCN'T AS TREAS.. S-PASSED 2ND & 3RD READING.
- H. 109 (WILKES) WILKESBORO RETIREMENT. S-PASSED 2ND & 3RD READING.
- H. 139 (RUTHERFORD) FOREST CITY MANAGER ELECTION. S-PASSED 2ND & 3RD READING.
- H. 166 (ORANGE) CHAPEL HILL RESERVE FUND. S-PASSED 2ND READING.
- H. 167 (FORSYTH) TAX LIEN LAW-FORSYTH EXEMPT.. S-PASSED 2ND & 3RD READING.
- H. 168 (VANCE) GARBAGE COLLECTION-VANCE COUNTY. S-PASSED 2ND & 3RD READING.
- H. 194 (ORANGE) CHAPEL HILL POLICE JURISDICTION. S-PASSED 2ND & 3RD READING.
- H. 200 (PERQUIMANS) REGISTER-FILING OF PAPERS. S-PASSED 2ND & 3RD READING.
- H. 201 (WAYNE) COURTHOUSE TAX FUND. S-PASSED 2ND & 3RD READING.
- H. 206 (WILKES) N. WILKESBORO LAND SALE.(2/26) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 207 (MECKLENBURG) CHARLOTTE REFUSE DISPOSAL. S-PASSED 2ND & 3RD READING.
- H. 208 (MECKLENBURG) CHARLOTTE CIVIL SERVICE.(2/19) S-PASSED 2ND & 3RD READING.
- H. 224 (YANCEY) PRIMARY ELECTIONS. S-PASSED 2ND & 3RD READING.
- H. 233 (CARTERET) MOREHEAD CITY STREET ASSESSMENTS. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

Next Sessions of Senate and House: 12 noon, Wednesday, March 3, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

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BULLETIN NO. 36

-253-

WEDNESDAY, MARCH 3, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 211 Communications-scramblers
Introducer: Kirby

GS 14
Sent to CORRECTN

"To amend Article 30 of Chapter 14 of the General Statutes by adding a new section to restrict the use of radio communications scramblers." Adds new GS 14-225.1 to define "scrambler" as any device for rendering speech transmission unintelligible or for unscrambling unintelligible speech at receiving end. Makes it unlawful for any person, firm or corporation to install or operate scrambler to transmit or receive any speech transmission on assigned frequency within the geographical area to which frequency is assigned without written authorization of licensee of assigned frequency. Makes violation misdemeanor punishable by fine or imprisonment not to exceed two years, or both. Upon conviction, scrambler involved to be confiscated and destroyed by county sheriff.

S 212 Divorce complaints
Introducer: McGeachy

GS 50
Sent to JUDIC 2

"To amend G.S. 50-8 relating to contents of complaints in actions for divorce." Adds new paragraph to GS 50-8 (contents of complaint) requiring that complaint in action for divorce state whether there is a minor child and, if so, name and age of child.

S 213 Technical changes-courts
Introducers: Bailey and Harrington

GS 7, 7A, 8, 9, 15
Sent to COURTS

"To make certain technical and editorial amendments to Chapters 7, 7A, 8, 9, and 15 of the General Statutes required by the Judicial Department Act of 1965, as amended." Revises and transfers to Ch. 8 seventh paragraph of GS 7-89, dealing with use of court reporter's notes as evidence. Requires Adm. Officer of Cts. furnish free copies of certain law reports to specified judges, solicitors and clerks. Provides for appeals in certain cases from superior courts to Court of Appeals. Repeals remnants of Ch. 7 (which deal primarily with the Justice of the Peace and certain minor courts which ceased to exist in December, 1970), except for Art. 38 (Judicial Council). Makes various clarifying and technical amendments in Ch. 7A, and repeals various transitional sections of Ch. 7A no longer needed since all counties have now switched to new district court system. Adds provisions concerning payment of costs for transcripts in indigency cases, furnishing transcripts on appeals, payment of costs of discovery, surety bonds, jurors, witnesses and other costs. Authorizes full-time assistant solicitors. Provides that assistant solicitors serve at the pleasure of the solicitor (now, same term as solicitor). Provides for additional seat of superior court, 25th district, to be in Catawba instead of Burke County. Clarifies administrative powers of chief district court judge over non-criminal calendar, and deletes his authority over criminal calendar. Requires plaintiffs to file small claim actions in jurisdictions where defendants reside (now, where plaintiff chooses). Deletes authority of chief district court judges over criminal dockets in



district court. Deletes requirement for verification of small claims complaints. Authorizes agent to sign for plaintiff in small claim for summary ejectment. Authorizes convicted district court defendant who gives notice of appeal to "appeal back" from superior court to district court, without imposition of superior court costs, if he withdraws appeal within the 10 days in which an appeal may be filed. Deletes magistrates' authority to appoint assessors to allot homesteads. Adds to costs to be paid by State those of transcripts of preliminary hearings in indigency cases, and transcript of evidence and court's charge in criminal appeals to appellate division. Adds to costs in criminal actions to be paid by State those of printing records and briefs in appellate division when case reversed on appeal. Exempts defendant from paying superior court costs in criminal appeals when he withdraws notice of appeal within 10 day period for entering appeal. Imposes \$20.00 fee payable by potential plaintiff for discovery procedures under Rule 27(a), (b), Rules of Civil Procedure. Rewrites GS 7A-314 (witness fees) to raise fee from \$3 to \$5, eliminate mileage for witness within county of trial, and provide mileage for out-of-state witnesses. Revises GS 7A-316 on fees payable to witness in criminal actions. Makes authority of district court judge in probation revocation cases equal to that of superior court judge. Makes other technical changes. Effective October 1, 1971.

S 214 Driver license revocation-patients (Iden. H 357) GS 20
Introducer: Staton Sent to HY SAFTY

"To amend G.S. 20-17.1 relating to the revocation of drivers licenses of certain mentally incompetent persons, alcoholics and drug addicts." Identical with H 357, digested in House section of today's Bulletin.

HOUSE

H 356 Funeral expense allowance GS 28
Introducer: S. Johnson Sent to JUDIC 1

"To amend G.S. 28-68.2 so as to increase from \$600.00 to \$1,000 the claim for funeral expenses which a Clerk of the Superior Court may allow as a preferred claim." As title indicates, increases amount of funeral expense claim which CSC may pay out of funds paid to him by debtors of intestate.

H 357 Driver license revocation-patients (Iden. S 214) GS 20
Introducer: Twiggs Sent to HY SAFTY

"To amend G.S. 20-17.1 relating to the revocation of drivers licenses of certain mentally incompetent persons, alcoholics and drug addicts." Adds new subsection (g) to GS 20-17.1 making that section inapplicable to persons who voluntarily enter institution for treatment of mental illness, alcoholism or drug addiction. (Now, courts and institutions to notify Comm'r of Motor Vehicles whenever person adjudged incompetent or admitted to institution for treatment of mental illness, alcoholism or drug addiction, Comm'r being required to make inquiry into competence of person to operate motor vehicle and to revoke license if not satisfied as to competence. Proposed section to be inapplicable to voluntary admission to institution for treatment.)

H 359 Speeding-limited license GS 20
Introducers: Messer and others Sent to HY SAFTY

"To authorize the courts to grant restricted driving privileges upon first convictions for the offense of speeding in excess of 55 miles per hour and more than 15 miles per hour over the posted limit."

Amends GS 20-180 by adding new subsection (b) to provide that, on first conviction only for speeding in excess of 55 miles per hour and more than 15 miles per hour over the posted limit, trial judge may allow limited driving privilege as condition of suspended sentence to person convicted for "proper purposes reasonably connected with the health, education and welfare" of person and his family. Authorizes judge to impose on limited driving privilege restrictions concerning days, hours, vehicle types, routes, geographical boundaries and specific purposes, with restrictions to be recorded in written judgment and to be made part of court's records. Requires copy of judgment to be sent to Dep't. of Motor Vehicles with person's license. Permit to be valid for so long as set in judgment and constitutes valid driving license in accordance with restrictions on it. Sets out form of judgment. Provides that upon conviction for such offense outside NC, person so convicted may apply to resident superior court judge in district where he resides for limited driving privileges provided by Act, and authorizes judge to issue such privileges in same manner as trial judge. Provides that violation of restrictive driving privileges set forth in judgment constitutes offense of driving while license suspended and revoked as provided in GS 20-28. Provides for suspension of limited driving privilege if person charged with operating vehicle in violation of restrictions, pending final disposition of charge. Effective July 1, 1971. (For similar provision relating to driving under influence, see GS 20-179(b)).

H 360 Quail propagation and sale
Introducers: Collins and others

GS 113
Sent to WILDLIFE

"Relating to the propagation and labeling and sale of quail so as to permit the processing and sale of quail carcasses for food." Amends GS 113-105 to allow taking of quail in any manner and at any time by person holding license to propagate those birds in captivity on his land (now, on land licensed for propagation can take in any manner any such propagated upland game birds, ducks and geese except quail and wild turkey). Adds provision to GS 113-105 exempting quail dressed for food purposes from requirement of having metal tag attached, but adds new GS 113-105.2 requiring quail sold dressed for food purposes to have stamped on carcass or on container the number of the bird propagating license, year for which it is valid, issuing state and name of holder of license, such stamp to be obtained at cost only from Wildlife Resources Comm'n. Makes purchase, sale or possession for sale of any quail not so stamped or weighing less than five ounces a misdemeanor (\$50 or 30 days), each quail counting toward a separate offense.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 354 Pistol permits
Introducers: Roberson and Burrus

WASHINGTON
Sent to JUDIC 1

"To amend Chapter 1073 of the Session Laws of 1959, relating to the issuance of pistol permits, so as to make the same applicable to Washington County." Adds Washington to counties in which permits for pistols and certain other concealed weapons and records thereof are issued and held by sheriff rather than clerk of superior court.

H 355 Ambulance service liens
Introducers: Roberson and Burrus

WASHINGTON, GS 44
Sent to LOC GOVT

"To provide that Article 9B of Chapter 44 of the General Statutes relating to liens for ambulance service shall apply to Washington County." Amends GS 44-51.8 to add Washington to counties in which liens attach to real and personal property for unpaid bills for county and municipal ambulance services.

H 358 Murphy Town Council
Introducer: Patton

CHEROKEE
Sent to LOC GOVT

"To amend Section 1 of Chapter 806 of the Session Laws of 1953 to authorize a member of the Town Council of the Town of Murphy to serve as a member of the Town of Murphy Electric Power Board." As title indicates, removes provision that no employee or official of the Town of Murphy shall serve on Power Board and adds explicit authorization that member of Town Council can serve on Board.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 69 Fleeing apprehension-80 mph (digested in Bulletin No. 12, p. 73)

Committee substitute adopted in Senate 3/3/71 makes evasion of apprehension by driving over 80 mph a misdemeanor (was felony in original bill), with rebuttable presumption that registered owner was operating vehicle at time (original bill did not include adjective "rebuttable"). Designates this new subsection of GS 20-141 as (h2) instead of (k) (as in original bill) and makes it effective October 1, 1971 rather than on ratification.

S 81 Local government sales tax act (digested in Bulletin No. 13, p. 86, Committee Substitute digested in Bulletin No. 28, p. 194)

In House, 3/3/71, two amendments adopted: one technical amendment concerning multi-county municipalities, and one amendment providing that board of county commissioners may not levy tax on own initiative if special election has been held on adoption of tax and tax was defeated.

S 110 Extend limited driving permits (digested in Bulletin No. 19, p. 123)

Amendment adopted in House 3/3/71 provides for expiration of Act authorizing limited driving permits on June 30, 1973 and also that expiration of Act shall not affect court judgments rendered during period of the Act.

HOUSE BILLS

H 219 Transcript costs-State appeals (digested in Bulletin No. 24, p. 161; previous amendment digested in Bulletin No. 28, p. 195).

Amendment adopted in Senate 3/3/71 provides that appealing State department or agency shall furnish copy of hearing transcript to appellee without cost and deletes language of proposed Act requiring cost of transcript to be charged against appellee if State prevails on appeal.

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 51 HIGHWAY LITTER FINE.(3/02) H-REC FROM SENATE; H-REF TO COM ON ROADS.
S. 69 FLEEING APPREHENSION-80 MPH..(3/03) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
S. 81 LOCAL GOVERNMENT SALES TAX ACT.(2/19, 2/23, 3/02, 3/03) H-FLOOR AMENDS ADOPTED.
S. 110 EXTEND LIMITED DRIVING PERMITS.(3/03) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
S. 123 FILING LEGITIMATION PETITIONS. S-PASSED 2ND & 3RD READING.
S. 143 OBSTRUCTING HIGHWAYS.(3/02) H-REC FROM SENATE; H-REF TO COM ON ROADS.
S. 144 CLARIFY SIGNALS LAW. S-REPTD FAV.
S. 192 CHILD PLACEMENT LIMITATION. S-REPTD FAV.

H. 11 SUSPENSION OF SCHOOL TERM. H-REPTD FAV AS AMENDED.
H. 16 SUSPENSION OF SCHOOL DAY. H-REPTD FAV AS AMENDED.
H. 18 \$1.60 MINIMUM WAGE.(3/02) H-POSTPONED TO MAR 4.
H. 141 70 MPH MAXIMUM-CERTAIN HIGHWAYS. S-REPTD FAV.
#H. 159 PERSONALIZED PLATES-PICKUPS-2. RATIFIED CH. 42.
H. 160 NO EXEMPTION-MEAT INSPECTION ACT.(3/02) S-PASSED 3RD READING.
#H. 177 EXTEND LIMITING DRIVING PERMITS. H-POSTPONED INDEF.
H. 219 TRANSCRIPT COSTS-STATE APPEALS.(2/19, 3/03) S-FLOOR AMEND ADOPTED; S-PASSED 2ND READING.

LOCAL BILLS

- S. 163 (CARTERET) BEAUFORT BONDS.(3/01) H-PASSED 2ND READING.
S. 185 (MECKLENBURG) MINTING MINT HILL.(3/02) S-PASSED 3RD READING.

#H. 27 (WILSON) COUNTY AUDITOR REPEAL. RATIFIED CH. 36.
#H. 28 (WILSON) STANTONSBURG INVESTMENTS. RATIFIED CH. 37.
H. 31 (WAYNE) COUNTY BOND FEES LIMIT.(2/11) S-PASSED 2ND READING.
#H. 45 (WILKES) NORTH WILKESBORO RETIREMENT. RATIFIED CH. 38.
#H. 90 (STOKES) COUNTY ACCN'T AS TREAS.. RATIFIED CH. 39.
#H. 109 (WILKES) WILKESBORO RETIREMENT. RATIFIED CH. 40.
#H. 139 (RUTHERFORD) FOREST CITY MANAGER ELECTION. RATIFIED CH. 41.
H. 166 (ORANGE) CHAPEL HILL RESERVE FUND. S-PASSED 3RD READING.
#H. 167 (FORSYTH) TAX LIEN LAW-FORSYTH EXEMPT. RATIFIED CH. 43.
#H. 168 (VANCE) GARBAGE COLLECTION-VANCE COUNTY. RATIFIED CH. 44.

- #H. 194 (ORANGE) CHAPEL HILL POLICE JURISDICTION. RATIFIED CH. 45.
- #H. 200 (PERQUIMANS) REGISTER-FILING OF PAPERS. RATIFIED CH. 46.
- #H. 201 (WAYNE) COURTHOUSE TAX FUND. RATIFIED CH. 47.
- #H. 207 (MECKLENBURG) CHARLOTTE REFUSE DISPOSAL. RATIFIED CH. 48.
- #H. 208 (MECKLENBURG) CHARLOTTE CIVIL SERVICE.(2/19) RATIFIED CH. 49.
- #H. 224 (YANCEY) PRIMARY ELECTIONS. RATIFIED CH. 50.
- H. 277 (PAMLICO) HAVELOCK COMM'RS ELECTIONS.(2/26) S-REC FROM HOUSE;
S-REF TO COM ON LOC GOVT.
- H. 292 (COLUMBUS) WHITEVILLE BOARD OF EDUCATION. H-REPTD FAV.
- H. 331 (ROBESON) FAIRMONT SCHOOL BOARD ELECTION. H-REPTD FAV.

Next Sessions of Senate and House: 12 noon, Thursday, March 4, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

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BULLETIN NO. 37

-259-

THURSDAY, MARCH 4, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 215 (Joint Resolution) Honoring Carbine Williams
Introducers: Henley and McGeachy

MISC RES
Passed three readings and
Sent to House

"Honoring David Marshall 'Carbine' Williams." As title indicates.

S 216 Municipal new registrations
Introducer: Mills

GS 160
Sent to LOC GOVT

"To amend G.S. 160-34 to provide a period for new registrations of voters in municipalities." Adds new provision to GS 160-34 (registration of voters) providing that, when new registration is ordered, registration books to be open between 9:00 a.m. and 5:00 p.m. daily (except Sunday) beginning 4th Saturday preceding election day and ending 2nd Saturday preceding election day.

S 217 Optional city gov't forms
Introducer: Mills

GS 160
Sent to LOC GOVT

"To amend G.S. 160-295 relating to optional forms of government." Adds to GS 160-295(a) (initiative by governing board), provision that municipal governing board may pass ordinance amending charter or general law (relating to composition and mode of election of governing board or to city manager plan) within periods allowed by GS 160-295(a) if, at meeting at which ordinance is passed for first time, governing board acts to submit ordinance to voters at next regular municipal election. Provides that passage of such ordinance on second reading to be not later than 30 days before that election.

S 218 Municipal law revision (Iden. H 153)
Introducers: Mills and others

GS 153, 160, 160A
Sent to LOC GOVT

"To consolidate, revise, and amend the General Statutes relating to cities and towns." Identical with H 153, digested in Bulletin No. 18, p. 115.

S 219 Sentence credit pending appeal (Iden. H 340)
Introducer: Gudger

GS 15
Sent to CORRECTN

"To amend G.S. 15-186.1 to provide credit for time spent in confinement pending appeal." Identical with H 340, digested in Bulletin No. 35, p. 246.

S 220 Sentence credit pending trial
Introducer: Gudger

GS 15
Sent to CORRECTN

"To provide credit for time spent in confinement pending trial." Adds new GS 15-176.2 requiring that when defendant sentenced to imprisonment previously has been



confined in state or local correctional or other institution following arrest for crime for which sentence is imposed, period of confinement following arrest to be deducted from maximum and minimum terms of sentence. Sets forth procedure for accounting for, computing and crediting such time. Requires defendant to be informed of credit. Applies to trials commenced after ratification of Act.

S 221 Juvenile jurisdiction
Introducers: Gudger and others

GS 7A, 110, 134
Sent to CORRECTN

"To raise the age limit for juvenile jurisdiction from sixteen to eighteen years, to raise the age limit for admission of juveniles to certain institutions under the control of the Board of Juvenile Correction, and to increase from sixteen to eighteen years the age limit for securing the return of female runaways under the Interstate Compact on Juveniles." Amends GS 7A-277 and 278(1) to increase jurisdictional age limitation of district courts in juvenile cases from 16 to 18 years of age. Makes conforming amendments in GS 7A-286 (subject to prosecution after 18), 134-82 (commitment of delinquent boys), 134-84.7 (commitment of girls), 134-84.9 (contracts with federal agencies for care of certain girls) and 110-64 (application of Interstate Compact on Juveniles). Amends GS 7A-286(4)c to provide that district court may commit a delinquent or undisciplined child to care of NC Board of Juvenile Correction for assignment to an appropriate facility for a period not to extend beyond child's 18th birthday (now, 16th), and by adding a new paragraph d allowing court to commit such a child to custody of Comm'r of Correction as youthful offender under Ch. 148, Art. 3A. Adds new subdivision (7) to GS 7A-286 to provide that traffic violations for which child has paid fine and costs and which are payable without court appearance shall not be grounds for filing a petition for court jurisdiction concerning the child, but when a court otherwise has acquired jurisdiction of a child by the filing of a petition, all such traffic violations shall be considered in determining whether child is dependent, delinquent, neglected, or undisciplined, and making appropriate disposition of child. Amends GS 7A-287 (concerning content and maintenance of juvenile records) to provide that it shall not apply to cases covered by new GS 7A-286(7). Act not to apply to petitions filed, or warrants issued prior to effective date. Effective July 1, 1971.

S 222 UNC/Reg. Univ. Bds.--students
Introducers: McLendon and others

GS 116
Sent to HIGHR ED

"To add the president of the student government on each campus of the University of North Carolina to the Board of Trustees of the University of North Carolina as ex officio voting members, and to add the president of the student body of all other public senior colleges to the boards of trustees of said institutions." Amends GS 116-4, 116-46, 116-65, and adds new GS 116-4.1 as title indicates; increases membership of respective boards accordingly.

S 223 Taxing banks personalty
Introducers: Bagnal and Horton

GS 105
Sent to BANKING

"To provide for the taxation of the tangible personal property of state and national banks by local taxing jurisdictions." Rewrites GS 105-228.13 to provide that excise tax levied under 105-228.12 is no longer in lieu of taxes levied upon tangible personal property of banks by local taxing jurisdictions, and that tangible personalty as well as (now) realty of banks shall be assessed and taxed in same manner as other tangible personalty and realty (section now speaks of assessment and taxation by local taxing jurisdictions). Effective Jan. 1, 1972.

HOUSE

H 361 Antique, historic weapons
Introducer: Barker

GS 14
Sent to JUDIC 2

"To define 'historic edged weapons' and to except 'antique firearms' and 'historic edged weapons' from the provisions of G.S. 14-402 and G.S. 14-409.1." Adds new GS 14-409.12 defining "historic edged weapon" as any bayonet, trench knife, sword or dagger manufactured during or prior to World War II but in no event later than January 1, 1946. Amends GS 14-402 (prohibiting sale of certain weapons without permits) and GS 14-409.1 (prohibiting sale of certain other weapons without permits) so as to except "historic edged weapon" and "antique firearm" (as defined in GS 14-409.11).

H 362 Retirement System administration
Introducer: DeBruhl and others

GS 135
Sent to ST PERS

"Relating to administering the Teachers' and State Employees' Retirement System." Makes following changes in System (GS Ch. 135): (1) redefines "average final compensation" in GS 135-1(5) to mean average annual compensation during five consecutive calendar years of service producing highest such average (now, 5 consecutive highest within last 10 years). (2) Adds definition of "compensation" as GS 135-1(7a), meaning all salaries and wages derived from public funds earned by member for service as employee or teacher in unit of System for which performing full-time work. (3) Rewrites GS 135-8(b)3 to remove discretion of city and county boards of education to determine whether to make employer contributions with respect to compensation paid members from non-state funds. (4) Revises definition of "employee" in GS 135-1(10) to exclude members or officers of General Assembly. (5) Adds new GS 135-1(11a) requiring applications for retirement be submitted on form provided by System. (6) Adds provision to GS 135-1(20) that retirement cannot become effective in any month unless member renders no service at any time during that month. (7) Amends GS 135-3(7)d to provide that when member who retires on early or service retirement allowance is restored to service prior to age 62, his allowance upon subsequent retirement equals allowance to which he would have been entitled if he were retiring for first time (calculated on basis of total creditable service) less actuarial equivalent of retirement benefits received before restoration to service. (8) Rewrites GS 135-3(7)e to provide that when member who retires on early or service retirement allowance is restored to service after age 62, his allowance shall be reduced (if necessary) so that sum of allowance and earnings from employment by unit of System for any calendar year will not exceed member's average final compensation (in no event is allowance to be less amount of annuity as defined in GS 135-1(3)). (9) Amends GS 135-3(8)b to permit member to qualify for early retirement at age 50 or over if he has 20 or more years of creditable service, without regard to whether he is "in service" at age 50. (10) Amends GS 135-4(e) to provide that unused sick leave may be applied only to increase amount of benefits for which member otherwise has qualified and not for computing creditable service for determining eligibility for service retirement, disability retirement, early retirement or vested deferred allowance. (11) Adds to GS 135-4(e) provision allowing retired member who returns to service for at least 5 years to repay to System lump sum (equal to amount withdrawn plus interest) in order to increase creditable service by amount of such service lost when he retired. (12) Allows member over 65 to be retained in service upon approval of his employer on year-to-year basis (removing requirement for approval by board of trustees). (13) Amends GS 135-5(e)(2) to provide that when person retires for disability and is restored to service at compensation not less than his average final compensation, he again becomes member of System if he is under age 62 (now, 60). (14) Adds new provision to GS 135-5(e) that, upon subsequent retirement of person originally retired for disability, his retirement allowance is not less than allowance to which he would have been entitled if he were retiring

for the first time (calculated on basis of total creditable service less actuarial equivalent of benefits previously received). (15) Amends GS 135-5(g) (Option 5) so that member may receive reduced retirement allowance (under Options 2 or 3), guaranteeing pro-rata refund of contributions for benefit of legal representatives or other designees if member and beneficiaries die within 10 years after member's retirement. (16) Amends GS 135-5(l) to provide member deemed to be in service at date of death if last day of actual service was within 90 days of death (extends death benefits for 90 days without regard to status of applications for refund or retirement benefits). (17) Rewrites GS 135-5(f) and (m) to provide that, on death of member **over age 55** or after 30 years' service, principal beneficiary may receive all contributions plus interest or same monthly benefits to which deceased member would have been entitled under Option 2 (reduced retirement allowance). (18) Amends GS 135-18.1(a) to permit member to transfer either to State System or to local system credits for membership and prior service under specified conditions, deleting requirement that transfer be made **within five years** after separation from either service. (19) Deletes from GS 135-18.1 provision limiting benefits available to member who retires within five years after transferring to State System from local system. (20) Adds new provision to GS 135-28 to allow transfer of service credits and contributions from State to local system under same conditions as now permit transfer from local to State system. (21) Act effective July 1, 1971, except that provisions relating to mandatory payments by city and county boards of education become effective July 1, 1972.

H 363 Increased retirement benefits
Introducers: DeBruhl and others

GS 135
Sent to ST PERS

"Enlarging and extending benefits of the Teachers' and State Employees' Retirement System without requiring any additional appropriations of funds." (1) Amends GS 135-3(8)a to reduce from twelve to five the number of years of service required for a member to become eligible for a vested deferred allowance, and amends GS 135-3(3) to discontinue the closing of accounts because of absence from service. (2) Deletes "actuarial equivalent" provisions in GS 135-3(8)b, and sets up schedule of early retirement **allowances** based on ages 50 through 59, with percentage reductions of 50% to 7% (depending on age) (reportedly has effect of approximating actuarial equivalents for women). (3) Amends GS 135-5(c) to reduce from 10 to 5 the **number** of years of service required for eligibility for disability retirement. (4) Amends GS 135-5(d2) and adds GS 135-5(d3) to make disability benefit henceforth equal to service retirement allowance calculated on basis of years of service members would have had at age 65 (now, age 60). (5) Amends GS 135-5(f) so that member who ceases to be teacher or State employee (except for reason of death or retirement) is entitled to be paid sum of his contributions to system and "accumulated regular interest thereon" if he has not in meantime (after leaving service and receiving payment) returned to service (now, if member has less than 12 years' service and is under 60 years, he receives only one-half of accumulated regular interest). (6) Amends GS 135-5(o) to provide increase in retirement allowances (from 1-4%) according to increase in cost-of-living index (from 1-3.5% per annum) under certain conditions (maximum annual cost-of-living increase now 3%, to be raised to 4%). (7) Adds GS 135-5(p) so as to increase monthly benefits to persons who retired before July 1, 1963, by amount of 20%, and to increase monthly benefits to persons who retired after June 30, 1963, but before July 1, 1967, by amount of 5%. (8) Effective July 1, 1971.

H 365 No weapons in courtroom
Introducer: Arnold

GS 14
Sent to JUDIC 2

"To amend Chapter 14 of the General Statutes by adding a new subsection to G.S. 14-269 to prohibit the possession of weapons in courtrooms except by law enforcement

officers." Adds new GS 14-269(b) prohibiting judges, solicitors, and any other persons from possessing certain weapons, enumerated in GS 14-269, in courtroom. Exempts law enforcement officers in discharge of official duties. Provides violation to be misdemeanor.

H 366 Auto dealer license revocation
Introducer: McKnight

GS 20
Sent to JUDIC 1

"To amend Chapter 20 of the North Carolina General Statutes to make failing to fulfill a warranty agreement a ground for denying, suspending or revoking licenses of motor vehicle dealers and manufacturers." Adds new GS 20-294(10) that provides that unreasonably failing to fulfill warranty agreement or (in case of manufacturer, distributor, distributor branch or factory branch) failing to compensate dealer for expenses incurred by dealer in regard to factory warranty agreement is ground for denying, suspending or revoking license of motor vehicle dealer or manufacturer. Provides that, notwithstanding any warranty agreement to contrary, dealer is entitled to reimbursement for labor expenses the amount ordinarily charged retail customer.

H 369 Medical Care hospital grants
Introducer: Chase

GS 131
Sent to HEALTH

"To revise the statute establishing the Medical Care Commission's functions regarding construction of hospitals in the State." Revises GS 131-120, making technical changes and providing for the continuation of the NC Medical Care Commission. Changes membership of Advisory Council to provide for seven members to serve 4-year terms, to include representatives of nongovernmental organizations or groups, and of public agencies, concerned with operation, construction, or utilization of hospital or other facilities for diagnosis, prevention, or treatment of illness or disease, or for provision of rehabilitation services, and representatives particularly concerned with education or training of health professions personnel; "and an equal number of representatives of consumers familiar with the need for the services provided by such facilities, to consult with the State agency in carrying out the plan, and provide, if such council does not include any representatives of nongovernmental organizations or groups, or State agencies, concerned with rehabilitation, for consultation with organizations, groups, and State agencies so concerned, which Advisory Council, when set up by the Governor, shall advise the North Carolina Medical Care Commission with respect to carrying out the purposes and provisions of this Article." (Now, 5 members.) Provides for Governor to consider federal laws in regard to representation on Council. Deletes reference to Hill-Burton Act and requirement of Commission to pay \$500,000 to NC Sanatorium for the Treatment of Tuberculosis for construction.

H 370 Realty brokers-unemployment ins.
Introducers: Twiggs and others

GS 96
Sent to JUDIC 2

"To exempt real estate brokers from the provisions of the Employment Security Law." Adds new GS 96-8(6)(g)(9)(a) to provide that term "employment" for purposes of Employment Security Law (unemployment insurance) shall not include services performed by persons for an employing unit as real estate agent or salesman as defined in GS 93A-2 if agent or salesman is compensated solely by commissions.

H 371 Memorializing Eubank
Introducers: James and others

MISC RES
Passed three readings and
sent to Senate

"Honoring the life, memory and achievements of William Marvin Eubank, Jr., a former member of the Senate." As title indicates.

H 372 Technical changes-courts
Introducers: Short and others

GS 7, 7A, 8, 9, 15
Sent to COURTS

"To make certain technical and editorial amendments to Chapters 7, 7A, 8, 9, and 15 of the General Statutes required by the Judicial Department Act of 1965, as amended." Identical with S 213, digested in Bulletin No. 36, p. 253.

H 373 Historic Hope restoration funds
Introducers: R. Jernigan and Martin

APPROPRIATION
Sent to APPROPRN

"Appropriating funds for the repair and restoration of Historic Hope." Appropriates to Dep't of Archives and History \$60,000 to complete the repair and restoration of Historic Hope.

H 374 NC Orthopedic Hospital funds
Introducer: Stewart

APPROPRIATION
Sent to APPROPRN

"To appropriate funds to the North Carolina Orthopedic Hospital in Gastonia." In addition to other 1971 appropriations, appropriates from General Fund to NC Orthopedic Hospital \$37,185 for fiscal 1971-72 and \$27,825 for fiscal 1972-73. Effective July 1, 1971.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 364 Charlotte Mayor's vote
Introducers: Vogler, Beatty, Campbell, Cobb,
Foley, Hicks and Lawing

MECKLENBURG
Sent to LOC GOVT

"To amend Chapter 916 of the Session Laws of 1969, amending the Charter of the City of Charlotte, to enlarge the voting powers of the mayor." Amends Ch. 916, SL of 1969, to provide that mayor of Charlotte shall have a vote in the consideration of amendments to zoning ordinances when said amendments are the subject of valid protest as defined in GS 160-176. In voting on such amendments the mayor shall be deemed a member of the legislative body.

H 367 County property sale
Introducers: Haynes and J. Brown

YADKIN
Sent to LOC GOVT

"To authorize the County of Yadkin to sell certain property at private sale." Provides that notwithstanding GS 160-59, Yadkin County is authorized to sell at private sale and convey by warranty deed, with or without consideration, certain described real property to Yadco, Inc. for erection of outpatient clinic thereon.

H 368 Maxton school board election
Introducers: Speros and others

ROBESON
Sent to LOC GOVT

"To authorize the Robeson County Board of Elections to hold the election for the Maxton City Administrative School Unit Trustees." Authorizes County Bd. of Elections to hold elections for Bd. of Trustees of Maxton City Administrative School Unit under regulations applicable to regular municipal elections in Maxton.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

None

HOUSE BILLS

H 11 Suspension of school term (digested in Bulletin No. 1, p. 8)

Amended in House 3/4/71 to: (1) provide that the period of suspension shall be deducted from the 180 school days included for each school year's operation and that teachers are entitled to pay for the school days during suspended term (was during the portion of the suspended term); and (2) to increase from 10 to 15 the number of days teachers may receive pay during suspended term provided it is during the school term.

H 16 Suspension of school day (digested in Bulletin No. 2, p. 11)

Technical amendments adopted in House 3/4/71.

H 232 Farm equipment width (digested in Bulletin No. 26, p. 172)

Two amendments adopted in House 3/4/71 change requirement of farm equipment to operate to right of center line when "possible and practical" to when "meeting traffic coming from the opposite direction and at all other times when possible and practical."

SENATE AND HOUSE

CALENDAR ACTION

MAR.04,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 69 FLEEING APPREHENSION-80 MPH..(3/03) S-PLACED ON CAL FOR MAR 5.
S. 75 TESTAMENTARY GIFTS TO MINORS. S-REPTD FAV COM SUBSTITUTE; S-PLACED ON CAL FOR MAR 5.
S. 81 LOCAL GOVERNMENT SALES TAX ACT.(2/19, 2/23, 3/02, 3/03) H-RECONSIDERED 2ND READING; H-PASSED 2ND READING.
S. 110 EXTEND LIMITED DRIVING PERMITS.(3/03) S-REC TO CONCUR IN H AMEND; S-PLACED ON CAL FOR MAR 9.
S. 116 DIVORCE-TRIAL WITHOUT JURY. S-REPTD FAV AS AMENDED.
S. 123 FILING LEGITIMATION PETITIONS. H-REC FROM SENATE; H-REF TO COM ON JUDIC 1.
S. 142 STATE CAPITAL CHALLENGES. S-REPTD FAV.
S. 144 CLARIFY SIGNALS LAW. S-PLACED ON CAL FOR MAR 9.
S. 161 CAPITOL RESTORATION CONTRACTS.(2/25) H-REPTD FAV AS AMENDED.
S. 192 CHILD PLACEMENT LIMITATION. S-PASSED 2ND & 3RD READING.
S. 215 (J.RES.) HONORING CARBINE WILLIAMS. S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PASSED 2ND & 3RD READING.

H. 11 SUSPENSION OF SCHOOL TERM.(3/04, 3/04) H-COM AMEND ADOPTED; H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
H. 16 SUSPENSION OF SCHOOL DAY.(3/04) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
H. 18 \$1.60 MINIMUM WAGE.(3/02, 3/04) H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING; H-PLACED ON CAL FOR MAR 9.
H. 21 TRUSTEE VALIDATION. S-REPTD FAV.
H. 24 RIGHT-OF-WAY, RESCUE SQUADS.(3/04) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
H. 25 RESCUE SQUAD SAFE DRIVER.(3/04) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
H. 107 LAWFUL ARTIFICIAL INSEMINATION. H-REPTD FAV AS AMENDED.
H. 141 70 MPH MAXIMUM-CERTAIN HIGHWAYS. S-PLACED ON CAL FOR MAR 9.
#H. 142 SPEEDING-REDUCED LICENSE PENALTY. H-REPTD UNFAV.
H. 160 NO EXEMPTION-MEAT INSPECTION ACT.(3/02) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
#H. 164 CHEMICAL TEST-0.15 REVOCATION. H-REPTD UNFAV.
#H. 165 CHEMICAL TEST REFUSAL REVOCATION. H-REPTD UNFAV.
H. 189 ESTATES-TRANSFER OF AUTOS.(3/04) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.

- H. 219 TRANSCRIPT COSTS-STATE APPEALS.(2/19, 3/03) S-PASSED 3RD READING.
- H. 223 HEARING-AUTO LICENSE SUSPENSION. H-REPTD FAV.
- H. 225 VALIDATING CLERK'S DEFAULT JT.. S-REPTD FAV.
- H. 232 FARM EQUIPMENT WIDTH.(3/04, 3/04) H-COM AMEND ADOPTED; H-FLOOR AMENDS ADOPTED; H-FLOOR AMEND FAILED; H-PASSED 2ND READING.
- H. 235 STATE CAPITAL CHALLENGES. S-REPTD FAV.
- H. 257 CORPORATE DEEDS VALIDATED-1. S-REPTD FAV.
- H. 258 CORPORATE DEEDS VALIDATED-2. S-REPTD FAV.
- H. 267 COASTAL PLAIN RES. CENT.-FUNDS-1. H-REPTD FAV; H-RE-REF COM ON APPROPN.
- H. 268 COASTAL PLAIN RES. CENT.-FUNDS-2. H-REPTD FAV; H-RE-REF COM ON APPROPN.
- H. 340 SENTENCE CREDIT PENDING APPEAL. H-REPTD FAV.
- H. 366 AUTO DEALER LICENSE REVOCATION. H-REF TO COM ON HY SAFTY; H-RECALLED FROM COM; H-RE-REF COM ON JUDIC 1.
- H. 371 (J.RES.) MEMORIALIZING EUBANK. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 132 (HAYWOOD) COUNTY MANAGER'S POWERS.(3/02) H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.
- #S. 163 (CARTERET) BEAUFORT BONDS.(3/01) H-PASSED 3RD READING; RATIFIED CH. 52.

- H. 31 (WAYNE) COUNTY BOND FEES LIMIT.(2/11) S-PASSED 3RD READING.
- #H. 166 (ORANGE) CHAPEL HILL RESERVE FUND. RATIFIED CH. 51.
- H. 280 (ROCKINGHAM) MADISON RETIREMENT. H-REPTD FAV.
- H. 281 (FORSYTH) WINSTON-SALEM STREET ENCROACHMENT. H-REPTD FAV.
- H. 292 (COLUMBUS) WHITEVILLE BOARD OF EDUCATION. H-PASSED 2ND & 3RD READING.
- H. 307 (NEW HANOVER) PLUMBING INSPECTOR REPEAL. H-REPTD FAV.
- H. 310 (MECKLENBURG) CHARLOTTE BOARD MEMBER RESIDENCE. H-REPTD FAV.
- H. 312 (PITT) AYDEN LIBRARY, RECREATION FUNDS. H-REPTD FAV.
- H. 331 (ROBESON) FAIRMONT SCHOOL BOARD ELECTION. H-PASSED 2ND & 3RD READING.
- H. 368 (ROBESON) MAXTON SCHOOL BOARD ELECTION. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.

Next Sessions of Senate and House: 10:00 a.m., Friday, March 5, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 38

-269-

FRIDAY, MARCH 5, 1971

PUBLIC BILLS INTRODUCED

SENATE

- S 224 (Joint Resolution) Golf-and-tennis lessons
Introducers: McLendon and others

MISC RES
Failed to pass second
reading

"Pertaining to the public safety." Recommends US Congress appropriate \$500 to pay for golf and tennis lessons for the Honorable Spiro Agnew; and that if instruction is not successful, he be required to post \$1,000 bond for protection of spectators at GGO.

- S 225 Uniform municipal election laws (Iden. H 59)
Introducers: Mills and others

GS 163, 160
Sent to LOC GOVT

"To make uniform the laws concerning registration of voters in and the conduct of municipal elections, and to remove obsolete matter from the general election laws."
Identical with H 59, digested in Bulletin No. 7, p. 41.

HOUSE

- H 375 Validating foreclosure dates
Introducer: Beam

GS 45
Sent to JUDIC 2

"To amend G.S. 45-21.44 relating to the validation of certain foreclosure sales."
Provides that foreclosure sales under mortgages and deeds of trust prior to February 1, 1971 (now, June 1, 1963) in which GS 45-21.17(c)(2) (dates of advertising) were not complied with, shall be validated.

- H 378 Poll watchers in all counties
Introducer: Harrelson

GS 163
Sent to ELECTION

"To provide that watchers may be appointed for election in all counties of the State." Repeals SL 1969, Ch. 1280, Sec. 3, thereby making provisions of GS 163-153(2)g applicable to 15 counties heretofore exempted therefrom (Alamance, Beaufort, Cumberland, Dare, Gaston, Guilford, Hyde, Lenoir, Martin, Mecklenburg, Onslow, Randolph, Stanly, Tyrrell, and Wayne.) (Cited GS provision, in counties that adopt full-time and permanent registration, permits only specified persons within the voting enclosure while polls open, including poll watchers under para. g. Note: Since Jan. 1, 1971, all counties are on full-time registration.)

- H 379 Poll books in all precincts
Introducer: Harrelson

GS 163
Sent to ELECTION

"To require poll books at all precincts and to require the voter to sign the poll



book." Rewrites GS 163-150(f) to require that (a) there be poll book at each precinct voting place at each primary and general election, (b) registrar designate one judge to keep poll book, (c) each voter must sign name on poll book before voting, (d) in primary election judge shall mark each voter's party affiliation in book opposite voter's name, (e) registrar and judges shall sign poll book immediately beneath last voter's name entered in book, (f) registrar or designated judge shall keep custody of book until delivery to chairman of county board of elections at time of county canvass, and chairman shall remain responsible for safekeeping book (now, no poll books required and in lieu thereof permanent poll record is kept upon registration certificates in form approved by county board of elections, all counties being on full-time and permanent registration since January 1, 1971).

H 380 County elections board terms
Introducer: Harrelson

GS 163
Sent to ELECTION

"To fix the term of office for members of county boards of elections at four years, and to require training for all election officials, and to make certain changes as to precinct officials." Amends GS 163-30 to provide that terms of members of county boards of elections shall be 4 years (now, 2 years). Adds to GS 163-22(b) (powers and duties of State Board of Elections) requirement that State Board, prior to each primary and general election, hold other educational meetings to train members of county boards in conduct of elections and to inform them of election laws and regulations; provides that members of county boards who fail to attend, unless excused by State Board, shall be removed from office by State Board when their attendance was required by State Board; and requires county boards of commissioners to pay necessary expenses of election board members while attending such meetings. Adds to GS 163-33 (powers and duties of county boards of elections) requirement that county board hold educational seminars and meetings to train precinct officials before primary and general elections, and to provide for payment for precinct officials attending. Amends GS 163-41 (precinct registrars and judges) to require county boards of elections to appoint registrars and judges from written list of names submitted by chairman of each political party in county if list received by seventh Saturday before primary (now, board may, but is not required, to appoint from list). Amends GS 163-41 to grant right to chairman of each political party in county to recommend two names of registered voters to fill vacancies among registrars or judges, and requires vacancies be filled from among those recommended if written recommendations received by county board of elections within 10 days after vacancy occurs (now, chairman of county board of elections to fill vacancy by member of same party as person creating vacancy, there being no requirement that chairman of political party be involved in vacancy-filling procedure). Amends GS 163-45 to require watchers be registered voters of county (now, must be registered voters of precinct in which they will serve).

H 381 Nash highway hunting
Introducer: Barbee

GS 143
Sent to WILDLIFE

"Regulating hunting from public roads in Nash County." Prohibits firing any rifle having bore larger than .22 calibre on or from right of way of public road in Nash County. Provides violation a misdemeanor (\$50/30 days). Excludes shotguns and exempts enforcement officers in performance of duty. Authorizes all State and county peace officers to enforce act.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 376 Windsor special assessments
Introducers: R. Jernigan and Martin

BERTIE
Sent to LOC GOVT

"Relating to special assessments in the Town of Windsor." Ratifies assessments levied by Windsor for local improvements and cost of water and sewer lines.

H 377 County economic development
Introducer: Barker

CRAVEN
Sent to JUDIC 2

"Relating to the economic development of Craven County." Authorizes county comm'rs to accept gift of easement or fee title to described land and to appropriate non-tax funds to make improvements on land for industrial development. In event New Bern receives EDA grant, authorizes county comm'rs and New Bern Aldermen to accept gift of perpetual easement or fee simple title to the same land and to appropriate non-tax funds for improvements on land for industrial development. Authorizes City and County to contract with each other or third parties for extension of utilities and services to tract.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 116 Divorce-trial without jury (digested in Bulletin No. 20, p. 129)

Amended in House 3/5/71 to permit divorce trial without jury in additional situation when defendant served by registered mail pursuant to Rule 4 of Rules of Civil Procedure.

S 125 (Sampson) Clinton elections (digested in Bulletin No. 22, p. 144)

Amended in House 3/5/71 to change residency requirements for voting in city elections from 90 to 30 days.

S 161 Capitol restoration contracts (digested in Bulletin No. 27, p. 180)

Amendment adopted in House 3/5/71 requires Director of Administration to publish notice of intent to negotiate before awarding contract, and to publish such notice at least twice in statewide publication more than thirty days before such work is awarded.

HOUSE BILLS

H 107 Lawful artificial insemination (digested in Bulletin No. 12, p. 80)

Amended in House 3/5/71 to provide that child to be considered in all respects legitimate when husband and wife consent in writing to use of artificial insemination technique (adds "in writing" to original bill).

H 226 Filling public officer's vacancy (digested in Bulletin No. 25, p. 165)

Committee substitute adopted in House 3/5/71 provides elected public officials to qualify by taking oath before beginning of term. Provides death or resignation of officer before term begins, or failure to qualify, constitutes vacancy. Provides for vacancy to be filled, unless otherwise provided for by law, by appointment of authority having power to fill vacancies. (Deletes requirement successor be from same political party, and removes power of executive committee to recommend person for vacancy.) Technical amendment to committee substitute adopted in House 3/5/71.

H 232 Farm equipment width (digested in Bulletin No. 26, p.172)

Amendment adopted in House 3/5/71 requires red flag be visible "from both directions at all times while being operated on public highway".

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 69 FLEEING APPREHENSION-80 MPH..(3/04) S-PLACED ON CAL FOR MAR 10.
S. 70 ACCIDENT REPORTS; FILING TIME. H-PASSED 2ND & 3RD READING.
S. 75 TESTAMENTARY GIFTS TO MINORS.(3/05) S-COM SUBSTITUTE ADOPTED; S-PLACED ON CAL FOR MAR 8.
S. 81 LOCAL GOVERNMENT SALES TAX ACT.(2/19, 2/23, 3/02, 3/03) H-PASSED 3RD READING.
S. 114 WORKING HOURS-WOMEN. H-PASSED 2ND & 3RD READING.
S. 116 DIVORCE-TRIAL WITHOUT JURY.(3/05) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
S. 142 STATE CAPITAL CHALLENGES. S-PLACED ON CAL FOR MAR 8.
S. 161 CAPITOL RESTORATION CONTRACTS.(2/25, 3/05) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
S. 191 (J.RES.) HONORING MT. AIRY BAND. H-PASSED 2ND & 3RD READING.
S. 192 CHILD PLACEMENT LIMITATION. H-REC FROM SENATE; H-REF TO COM ON JUDIC 1.
#S. 215 (J.RES.) HONORING CARBINE WILLIAMS. RATIFIED RES. 20.
S. 216 MUNICIPAL NEW REGISTRATIONS. S-REPTD FAV AS AMENDED.
#S. 224 GOLF-AND-TENNIS LESSONS. S-FAILED 2ND READING.

H. 11 SUSPENSION OF SCHOOL TERM.(3/04, 3/04) S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
H. 16 SUSPENSION OF SCHOOL DAY.(3/04) S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
H. 21 TRUSTEE VALIDATION. S-PASSED 2ND & 3RD READING.
H. 24 RIGHT-OF-WAY, RESCUE SQUADS.(3/04) H-PLACED ON CAL FOR MAR 8.
H. 25 RESCUE SQUAD SAFE DRIVER.(3/04) H-PLACED ON CAL FOR MAR 8.
H. 107 LAWFUL ARTIFICIAL INSEMINATION.(3/05) H-COM AMEND ADOPTED; H-POSTPONED TO MAR 9.
H. 141 70 MPH MAXIMUM-CERTAIN HIGHWAYS. S-PLACED ON CAL FOR MAR 11.
#H. 160 NO EXEMPTION-MEAT INSPECTION ACT.(3/02) RATIFIED CH. 54.
H. 189 ESTATES-TRANSFER OF AUTOS.(3/04) H-PASSED 2ND & 3RD READING.
H. 219 TRANSCRIPT COSTS-STATE APPEALS.(2/19, 3/03) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
H. 223 HEARING-AUTO LICENSE SUSPENSION. H-PASSED 2ND & 3RD READING.
H. 225 VALIDATING CLERK'S DEFAULT JT.. S-PASSED 2ND & 3RD READING.
H. 226 FILLING PUBLIC OFFICER'S VACANCY.(3/05, 3/05) H-REP FAV COM SUB AS AMEND; H-COM SUBSTITUTE ADOPTED; H-COM SUBSTITUTE AMENDED.

- H. 232 FARM EQUIPMENT WIDTH.(3/04, 3/04, 3/05) H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING.
- H. 235 STATE CAPITAL CHALLENGES. S-PASSED 2ND READING.
- H. 257 CORPORATE DEEDS VALIDATED-1. S-PASSED 2ND & 3RD READING.
- H. 258 CORPORATE DEEDS VALIDATED-2. S-PASSED 2ND & 3RD READING.
- #H. 296 ACCIDENT REPORTS; FILING TIME. H-POSTPONED INDEF.
- H. 334 VALIDATE MARITAL CONTRACTS. H-PASSED 2ND & 3RD READING.
- H. 340 SENTENCE CREDIT PENDING APPEAL. H-PASSED 2ND & 3RD READING.
- #H. 371 (J.RES.) MEMORIALIZING EUBANK. RATIFIED RES. 21.

LOCAL BILLS

- S. 125 (SAMPSON) CLINTON ELECTIONS.(3/05) H-REPTD FAV AS AMENDED; H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- S. 185 (MECKLENBURG) MINTING MINT HILL.(3/02) H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.
- #H. 31 (WAYNE) COUNTY BOND FEES LIMIT.(2/11) RATIFIED CH. 53.
- H. 209 (MECKLENBURG) CHARLOTTE COLISEUM AUTHORITY. H-REPTD FAV.
- H. 280 (ROCKINGHAM) MADISON RETIREMENT. H-PASSED 2ND & 3RD READING.
- H. 281 (FORSYTH) WINSTON-SALEM STREET ENCROACHMENT. H-PASSED 2ND READING.
- #H. 287 (CARTERET) BEAUFORT BONDS. H-REPTD FAV AS AMENDED; H-POSTPONED INDEF.
- H. 292 (COLUMBUS) WHITEVILLE BOARD OF EDUCATION. S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
- H. 300 (MECKLENBURG) MINTING MINT HILL. H-REPTD FAV AS AMENDED.
- H. 307 (NEW HANOVER) PLUMBING INSPECTOR REPEAL. H-PASSED 2ND & 3RD READING.
- H. 309 (MECKLENBURG) MINT HILL CONSOL. VOTE.(3/05) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 310 (MECKLENBURG) CHARLOTTE BOARD MEMBER RESIDENCE. H-PASSED 2ND & 3RD READING.
- H. 312 (PITT) AYDEN LIBRARY,RECREATION FUNDS. H-PASSED 2ND & 3RD READING.
- H. 319 (HARNETT) DUNN ELECTIONS. H-REPTD FAV AS AMENDED.
- H. 331 (ROBESON) FAIRMONT SCHOOL BOARD ELECTION. S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
- H. 368 (ROBESON) MAXTON SCHOOL BOARD ELECTION. S-REPTD FAV; S-PASSED 2ND & 3RD READING.

Next Sessions of Senate and House: 9:00 a.m., Saturday, March 6, 1971;
Monday, March 8, 1971, 8:00 p.m.

DAILY BULLETIN

The General Assembly of North Carolina

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BULLETIN NO. 39

-275-

MONDAY, MARCH 8, 1971

Note: The Senate convened at 9:30 a.m. and the House at 10:00 a.m. on Saturday, March 6, 1971, for consideration of local bills only. No bills were introduced and no calendar action was taken in either Chamber.

PUBLIC BILLS INTRODUCED

SENATE

S 227 Accident reports, parked autos
Introducer: Gudger

GS 20
Sent to HY SAFTY

"To amend G.S. 20-166 and G.S. 20-166.1 relating to the duty of individuals colliding with motor vehicles to furnish information to the owners of such vehicles or to law enforcement officer." Amends GS 20-166(b) to provide that if driver of vehicle collides with parked or unattended vehicle and name and location of owner is not known or readily ascertainable, he must furnish his name, address, operator's or chauffer's license number and registration number of auto (1) to nearest available peace officer or (2) place a paper writing containing such information in conspicuous place upon damaged vehicle and comply within 24 hours with GS 20-166.1(c) as amended. (Amended provision now refers to cases where driver or damaged property owner is not known, and does not contain paper-writing alternative). Amends GS 20-166.1(c) to require report within 24 hours (now, immediately) and adds that report must be transmitted to current address of owner of parked or unattended behicle by U.S. certified mail and copy sent to Dep't of Motor Vehicles. Effective July 1, 1971.

S 228 Implied consent hearing
Introducer: Gudger

GS 20
Sent to HY SAFTY

"To make punishment uniform for refusal to submit to chemical tests for alcohol." Deletes from GS 20-16.2(c) (mandatory revocation of license in event of refusal to submit to chemical tests) requirement that Dep't of Motor Vehicles immediately restore license of person acquitted of drunk driving, upon notice of acquittal by clerk of court. Deletes from GS 20-16.2(d) provision that, at hearing before DMV on revocation of license, it shall be an issue whether person was informed that his privilege to drive would be revoked if he refused to submit to chemical test. Effective July 1, 1971.

S 229 Farm land valuation
Introducer: Flaherty

GS 105
Sent to FINANCE

"Relating to the classification, appraisal, valuation, assessment and taxation of land actively devoted to agricultural uses." Adds new GS 105-295.1 classifying land used for commercial production (defined as being for sale) of crops, plants, livestock or poultry as special class of property under Art. V,



Sec. 3 of Constitution; assessor in valuing such land to consider only its value for agricultural use. Allows board of commissioners to classify and value only portion of land actually used for commercial production. Adds two new paragraphs, j and k, to GS 105-279(3) adding to list of real property that is to be assessed or reassessed each year, property which has changed from being used for something other than commercial agricultural production to that use, and vice versa. Effective January 1, 1972.

S 230 Gasoline advertising
Introducer: Flaherty

GS 20, 14
Sent to MFG LABR

"Requiring stations selling gasoline at more than one price to clearly advertise the self-service price and the non-self-service price." Requires gasoline service stations to clearly and prominently display the prices of self-service gas and non-self-service gas. Requires price of each type gas be located on each gasoline pump. Requires that largest sign advertising gas not display self-service price unless sign clearly indicates that such price is self-service price. Makes violation misdemeanor (\$50/30 days), and provides each day of violation constitutes separate violation.

S 232 Retirement System administration (Iden. H 362)
Introducers: Burney and others

GS 135
Sent to ST GOVT

"Relating to administering the Teachers' and State Employees' Retirement System." Identical to H 362, digested in Bulletin No. 37 at page 261.

S 233 Increased retirement benefits (Iden. H 363)
Introducers: Burney and others

GS 135
Sent to ST GOVT

"Enlarging and extending benefits of the Teachers' and State Employees' Retirement System without requiring any additional appropriation of funds." Identical to H 363, digested in Bulletin No. 37 at page 262.

S 234 Southern lateral seaward bndry.
Introducer: Burney

GS 141
Sent to CONS & DEV

"To establish the lateral seaward boundary between North Carolina and South Carolina." Adds new GS 141-7 designating southern lateral seaward boundary between NC and SC, as described in bill. Effective upon ratification, subject to approval and concurrence by SC and consent by US Congress.

S 235 Northern lateral seaward bndry.
Introducer: Burney

GS 141
Sent to CONS & DEV

"To establish the lateral seaward boundary between North Carolina and Virginia." Adds new GS 141-8 designating northern lateral seaward boundary between NC and Va., as described in bill. Effective upon ratification, subject to approval and concurrence by Va. and consent by US Congress.

S 236 Suspension, 10 mph excess speed
Introducer: Crawford

GS 20
Sent to HY SAFTY

"To amend G.S. 20-16 regarding suspension or revocation of drivers' licenses for speeding." Amends subsection (a) of GS 20-16 (concerning convictions for which Dep't of Motor Vehicles may suspend driver's license) by

requiring that conviction for speeding over 75 mph be on road with speed limit of less than 70 mph (now no reference to speed limit of road) and that speed be over 80 mph where speed limit for road is 70 mph (new subsection).

S 238 Workmen's Comp. benefits increase
Introducers: Staton and Folger

GS 97
Sent to MFG LABR

"To amend the Workmen's Compensation Act regarding benefits." Amends GS 97-29, -30, -38, -41, -61.5, and -61.6 in following respects (increasing benefits under Act): weekly maximum for total incapacity, from \$50 to \$56; weekly minimum for total incapacity, from \$10 to \$20; lifetime maximum for total incapacity, from \$18,000 to \$20,000; weekly maximum for partial incapacity, from \$50 to \$56; weekly maximum (payable to dependents for 350 weeks) for death, from \$50 to \$56 and weekly minimum from \$10 to \$20; and, total maximum for death, from \$18,000 to \$20,000. Effective July 1, 1971, and applicable only to cases originating on and after July 1, 1971.

S 239 County social services board pay
Introducer: Staton

GS 108
Sent to RESOURCE

"To provide that the amount per diem to be received by the members of County Boards of Social Services shall be established by the County Boards of Commissioners." Amends GS 108-14 to permit county commissioners to set per diem pay without specific limit (Now, may not exceed \$10.00).

S 240 Welfare residence repeal
Introducer: Staton

GS 108
Sent to RESOURCE

"To delete from Chapter 108 of the General Statutes a public assistance eligibility requirement of continuous residence for one year so as to put G.S. 108-24 in conformity with a requirement of the United States Supreme Court and the United States Department of Health, Education, and Welfare." As title indicates, repeals subsection (7) of GS 108-24 defining resident as person who has lived continuously in state for year before applying for public assistance.

S 241 Custodial child support
Introducer: Staton

GS 7A
Sent to RESOURCE

"To provide for the support of a child committed to the custody of an agency or person." Adds new para. to GS 7A-286 providing that whenever child is committed by court to custody of agency or person other than parent or guardian, compensation for care of child shall be charge upon county when approved by court order, but court may also issue and serve order to show cause on parent or person having duty under law to support child and order him to pay in manner and sum as court directs to cover in whole or part child's support. Willful failure to pay punishable as contempt of court. When court commits child to county dep't of social services, cost shall be upon county except to extent otherwise ordered by court.

HOUSE

H 382 To provide storage lien
Introducer: Lilley

GS 44A
Sent to JUDIC 2

"To amend Article I of Chapter 44A of the General Statutes of North Carolina to provide for a storage lien on personal property." Rewrites

GS 44A-2 concerning persons entitled to lien on personal property by adding those who store that property in the ordinary course of business as lienors.

H 384 Libraries-additional funds
Introducers: Phillips and Hunter

APPROPRN
Sent to LIBRARY

"To appropriate additional funds to maintain, improve, stimulate, increase and expand local public library facilities and operations in the State of North Carolina." Appropriates from General Fund \$3,000,000 for 1971-73 biennium for public library purposes (in addition to other appropriations), payable \$1,000,000 in 1971-2 and \$2,000,000 in 1972-73. Funds to be administered by NC State Library, through Bd. of Trustees, as part of Aid to Public Libraries Fund under GS 125-7. Effective July 1, 1971.

LOCAL BILLS INTRODUCED

SENATE

S 226 Winston-Salem by-products
Introducer: Bagnal

FORSYTH
Sent to LOC GOVT

"To amend the Charter of Winston-Salem to permit the sale of by-products of city operations without public advertising and bids." Amends Sec 110 of Priv. L. 1937, Ch 232 as amended to permit Bd of Aldermen by resolution to enter into franchise agreements or other contracts for wholesale or retail marketing, distribution, purchase or sale of by-products of city operations upon such terms as Bd finds in City's best interest, and such contracts may be negotiated without public advertising or bidding.

S 231 Albemarle assessments
Introducer: Patterson

STANLY
Sent to LOC GOVT

"To authorize the Board of Commissioners of the City of Albemarle to waive the collection of street assessments owed to the City of Albemarle by the Stanly County and City of Albemarle boards of education." As title indicates.

S 237 Firemen retirement-Lexington
Introducers: Deane and Saunders

DAVIDSON
Sent to LOC GOVT

"To provide a supplemental retirement fund for firemen in the City of Lexington and to modify the application of G.S. 118-5, G.S. 118-6, and G.S. 118-7 to the City of Lexington." Directs Board of Trustees of Local Fireman's Relief Fund of Lexington to establish and maintain a separate Fireman's Supplemental Retirement Fund, and notwithstanding the limitation of GS 118-7 to transfer funds from the Local Relief Fund to the Supplemental Retirement Fund. Allows prior to Jan. 1, 1972, and each year thereafter the transfer of all funds in the Local Relief Fund in excess of \$10,000, with transfer of funds back if Local Relief Fund drops below \$10,000. Requires Board to divide previous year's income from investment of Supplemental Retirement Fund into equal shares as soon as practicable after January 1 each year, shares to be disbursed to retired firemen according to schedule set out in detail in bill.

HOUSE

H 383 County tax collector
Introducer: Culpepper

PASQUOTANK
Sent to LOC GOVT

"Authorizing the Commissioners of Pasquotank County to create the separate office of tax collector for said county and to fix the compensation of such tax collector." Authorizes county comm'rs to create separate office of co. tax collector, office to be subject to GS Ch. 105, Art. 27 (collection and fore-closure of taxes). If office created, requires sherriff to account for tax matters and turn over books and records, and relieves sherriff of duties of tax collector. Requires tax collector turn over to general fund all fees and commissions and to give bond for performance of duties. Empowers comm'rs to fix collector's salary, to remove collector from office for cause at any time and to remove collector from office without cause on 30 days' notice. Authorizes comm'rs to provide for office, personnel and expenses of collector, payable from general fund.

H 385 County school board
Introducers: Burrus and Roberson

DARE
Sent to EDUCATN

"To add two members to the Board of Education of Dare County and to provide for the election of the members of said board." Increases Bd. from 5 to 7, adding Fuller and Perry representing Hatteras and Kitty Hawk school districts respectively, to be installed first Monday in April, 1971 to hold office until first Monday in December, 1972. Thereafter Bd. to consist of 5 members; 3 residents of Manteo and 1 resident each of Hatteras and Kitty Hawk school districts. Members to be elected for 4 yr. terms in nonpartisan election at time of primary election.

H 386 Wilkesboro tax discounts
Introducers: J. Brown and Haynes

WILKES
Sent to LOC GOVT

"To amend G.S. 105-345 to allow the Town of Wilkesboro to adopt the same schedule of discounts and penalties for payment or nonpayment of ad valorem taxes as is adopted by and approved for Wilkes County." As title indicates, upon resolution of governing body of town.

H 387 Wagram beer and wine
Introducer: Speros

SCOTLAND
Sent to ABC

"To permit the sale of beer and wine in the Town of Wagram in Scotland County."
Amends Sec. 19 of Priv. L. 1911, Ch. 161 to make general laws of the State relating to sale of beer and wine applicable to Wagram.

AMENDMENTS AND COMMITTEE SUBSTITUTES

H 300 Minting Mint Hill (digested in Bulletin No. 31, p. 214).
Clarifying amendments adopted in House 3/8/71.

H 319 Dunn elections (digested in Bulletin No. 32, p. 225)

Amendment adopted in House 3/8/71 clarifies subsec. 4.2(b) requiring primary for office of mayor or ward seat on council if more than 2 candidates, and for at-large seat on council if more than 4 candidates. If any candidate in primary receives majority of votes cast, he shall be declared elected, otherwise top two run in regular municipal election for Mayor or ward seat, and top four for two at-large seats. Re-words sec. 4.2(c).

SENATE AND HOUSE

CALENDAR ACTION

MAR.08,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- #S. 70 ACCIDENT REPORTS; FILING TIME. RATIFIED CH. 55.
S. 75 TESTAMENTARY GIFTS TO MINORS.(3/05) S-PASSED 2ND & 3RD READING.
S. 81 LOCAL GOVERNMENT SALES TAX ACT.(2/19, 2/23, 3/02, 3/03) S-PLACED ON CAL FOR MAR.10.
#S. 114 WORKING HOURS-WOMEN. RATIFIED CH. 56.
S. 116 DIVORCE-TRIAL WITHOUT JURY.(3/05) H-REC FROM SENATE; H-REF TO COM ON JUDIC 1.
S. 142 STATE CAPITAL CHALLENGES. S-PLACED ON CAL FOR MAR 10.
S. 161 CAPITOL RESTORATION CONTRACTS.(2/25, 3/05) S-PLACED ON CAL FOR MAR 9.
#S. 191 (J.RES.) HONORING MT. AIRY BAND. RES. 22.
S. 216 MUNICIPAL NEW REGISTRATIONS.(3/08) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
#H. 21 TRUSTEE VALIDATION. RATIFIED CH 57.
H. 24 RIGHT-OF-WAY,RESCUE SQUADS.(3/04) H-PASSED 2ND & 3RD READING.
H. 25 RESCUE SQUAD SAFE DRIVER.(3/04) H-PASSED 2ND & 3RD READING.
H. 189 ESTATES-TRANSFER OF AUTOS.(3/04) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
#H. 219 TRANSCRIPT COSTS-STATE APPEALS.(2/19, 3/03) RATIFIED CH. 58.
H. 223 HEARING-AUTO LICENSE SUSPENSION. S-REC FROM HOUSE; S-REF TO COM ON HY SAFTY.
#H. 225 VALIDATING CLERK'S DEFAULT JT.. RATIFIED CH 59.
H. 226 FILLING PUBLIC OFFICER'S VACANCY.(3/05, 3/05) H-PASSED 2ND READING;.
H. 232 FARM EQUIPMENT WIDTH.(3/04, 3/04, 3/05) S-REC FROM HOUSE; S-REF TO COM ON AGRICULT.
H. 235 STATE CAPITAL CHALLENGES. S-PLACED ON CAL FOR MAR 10.
#H. 257 CORPORATE DEEDS VALIDATED-1. RATIFIED CH 60.
#H. 258 CORPORATE DEEDS VALIDATED-2. RATIFIED CH 61.
H. 334 VALIDATE MARITAL CONTRACTS. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.
H. 340 SENTENCE CREDIT PENDING APPEAL. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.

LOCAL BILLS

- S. 125 (SAMPSON) CLINTON ELECTIONS.(3/05) S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.

- S. 171 (FORSYTH) WINSTON SALEM PERSONALTY SALE. S-REPTD FAV.
S. 197 (WAKE) COUNTY BICENTENNIAL. S-REPTD FAV AS AMENDED.
- H. 94 (CATAWBA) HICKORY FIREMEN'S RETIREMENT.(2/11) S-REPTD FAV.
H. 157 (DURHAM) DURHAM FIREMEN'S RETIREMENT. S-REPTD FAV.
H. 206 (WILKES) N. WILKESBORO LAND SALE.(2/26) S-REPTD FAV.
H. 209 (MECKLENBURG) CHARLOTTE COLISEUM AUTHORITY. H-PASSED 2ND & 3RD READING.
H. 215 (MADISON) LIQUOR SALES-1 GALLON.(2/26) S-REPTD FAV.
H. 221 (ALAMANCE) BURLINGTON REALTY SALE. S-REPTD FAV.
H. 234 (CHEROKEE) CHEROKEE ELECTIONS. S-REPTD FAV.
H. 242 (NASH) NASHVILLE RETIREMENT SYSTEM. S-REPTD FAV.
H. 278 (COLUMBUS) SPECIAL DEPUTY SHERIFFS. S-REPTD FAV.
H. 280 (ROCKINGHAM) MADISON RETIREMENT. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
H. 281 (FORSYTH) WINSTON-SALEM STREET ENCROACHMENT. H-PASSED 3RD READING.
H. 300 (MECKLENBURG) MINTING MINT HILL. H-PASSED 2ND READING; H-PLACED ON CAL FOR MAR.9.
H. 307 (NEW HANOVER) PLUMBING INSPECTOR REPEAL. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
H. 309 (MECKLENBURG) MINT HILL CONSOL. VOTE.(3/05) H-PASSED 2ND & 3RD READING.
H. 310 (MECKLENBURG) CHARLOTTE BOARD MEMBER RESIDENCE. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
H. 312 (PITT) AYDEN LIBRARY,RECREATION FUNDS. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
H. 319 (HARNETT) DUNN ELECTIONS. H-PASSED 2ND & 3RD READING.
#H. 368 (ROBESON) MAXTON SCHOOL BOARD ELECTION. RATIFIED CH. 62.

Next session of Senate and House: 12:00 Noon, Tuesday, March 9, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 40

-283-

TUESDAY, MARCH 9, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 242 Medical review notice:driver lic.
Introducer: White

GS 20
Sent to PUB HLTH

"To amend G.S. 20-9(g)(4)a to provide that notice of opportunity for a medical review board hearing, after denial of a driver's license for medical reasons, be made by certified mail." Substitutes "certified" for "registered" mail as a permissible method of notification of applicant of medical review board hearing, convened after denial of driver's license for medical reason (as an alternative to delivery of notice in person).

S 243 Subcontractors liens rewrite(Iden. H 393)
Introducers: Strickland and Kirby

GS 44A, 44
Sent to JUDIC 1

"To rewrite the law governing liens of mechanics, materialmen, and laborers who deal with one other than the owner." Identical with H 393, digested in the House section of today's Bulletin.

S 244 Nonres. hunting license proceeds
Introducer: Moore

GS 113
Sent to WILDLIFE

"To amend G.S. 113-95 concerning the distribution of the nonresidents hunting license fee by the North Carolina Wildlife Resources Commission." Rewrites paragraph of GS 113-95, retaining provision that \$1 of each nonresident hunting license fee and nonresident 6-day hunting license fee go to propagation, management and control of migratory waterfowl in NC, but substituting for provision that \$1 go to proper Canadian agency for those purposes a provision that the second \$1 go to proper US agency to be spent in Canada. Ratifies such payments made to US agencies since August 1, 1968.

S 245 Interstate placement of children
Introducer: Staton

GS 110
Sent to RESOURCE

"To provide for the adoption of the Interstate Compact on the Placement of Children." Adds new Art. 5A of GS Ch. 110 setting out purposes and policies in interstate placement of children, policies to apply as to all states adopting similar legislation. Requires state sending child to another state for placement in foster care or as preliminary to adoption to comply with terms of Article, specifically by notifying proper authorities of receiving state and delaying placement until acquiescence. Makes failure to comply violation of laws respecting placement of children in both sending and receiving states and provides failure to be cause for revocation of license or permit of sending agency. Provides sending agency to retain jurisdiction of child as to custody, supervision and treatment, and to have financial responsibility for support of child during placement. Authorizes public agency sending child to enter agreement



with public or private agency of receiving state as to services latter may render child. Permits state to send adjudicated delinquent to institution of party state if in best interest of child. Provides NC Comm'r of Social Services to be compact administrator. Permits withdrawal from compact on written notice, not sooner than two years after effective date. Makes violation of any of provisions of Article a misdemeanor. Effective July 1, 1971.

S 246 Drive-in theatre screening
Introducer: Harris

GS 14, 135
Sent to ROADS

"To require that surfaces of drive-in theatres upon which pictures are projected be screened or located in such manner that pictures projected thereon shall not be visible from public highways." As title indicates. Provides violation a misdemeanor punishable by fine up to \$500, or imprisonment up to 60 days, with each day to be separate offense. Declares such theatre a public nuisance and permits chief law enforcement officer of municipality or county to seek injunctive relief in superior court. Provides that: (1) no theatre to be established from and after 1/1/72 with projection surfaces visible from street; and (2) theatres existing 1/1/72 may continue to operate if surfaces screened, blocked or covered so that pictures not visible from street.

S 247 Power of attorney, validity
Introducers: Kirby and Strickland

GS 47
Sent to JUDIC 2

"To amend G.S. 47-115.1 regarding powers of attorney." Adds new sentence to subsection (d) of GS 47-115.1 (power of attorney to continue in effect notwithstanding later incapacity or mental incompetence of principal), providing that a power of attorney executed pursuant to that section shall be valid from time of registration even though that registration is subsequent to onset of principal's incapacity or incompetence. Effective October 1, 1971.

S 248 Renew officer's auto insurance
Introducer: Burney

GS 20, 58
Sent to INSUR

"To amend Article 13 of the General Statutes of North Carolina to prevent non-renewal of law enforcement officers' personal automobile liability insurance by reason of accidents occurring on the job." Allows new GS 20-310.3 to provide that upon notice that law enforcement officer requests renewal of auto liability insurance, it is unlawful for insurance co. to fail to renew policy for 12 months, within 15 days after such notice, for reason arising out of officer's involvement in motor vehicle accident while in course of employment as law enforcement officer. Permits aggrieved officer to recover, in civil action, \$1500 from ins. co. in violation; permits judge to tax reasonable attorney fee to court costs. Provides no explanation of reason of failure to renew to be privileged. Excludes policies issued under Assigned Risk, and policies cancelled pursuant to GS 20-310 (termination by mailing notice 15 days prior to cancellation or failure to renew by insurer). Effective Jan. 1, 1972 and applies to policies written or renewed after such date.

S 249 Podiatry defined
Introducer: Bailey

GS 90
Sent to PUB HLTH

"To amend G.S. 90-188 relating to the definition of podiatry." Redefines podiatry for purposes of podiatry certification law by deleting exception in present GS 90-188 of "the correction of deformities requiring the use of the knife," thereby including this in definition of podiatry.

S 250 Alternative redevelopment plan
Introducers: Gudger and Crawford

GS 160, 157
Sent to JUDIC 2

"To amend G.S. 160-457.1 providing for alternative organization under Chapter 160, Article 37 Urban Redevelopment Law." Adds new subsection (c) to GS 160-457.1, providing that, where governing body of municipality abolishes redevelopment commission, it may concurrently or subsequently provide by resolution that an existing housing authority created pursuant to Ch. 157 is to exercise the powers, duties and responsibilities of a redevelopment comm'n. Provides that when redevelopment duties thus transferred to housing authority, the housing authority is to take the place of redevelopment comm'n with regard to all property ownership, judgments, liens, rentals, taxes, pending suits, obligations, rules, etc. in same manner as municipality does under subsection (b) when it takes over redevelopment comm'n's functions. Provides that housing authority exercising redevelopment comm'n's authority under this section to be governed by Art. 37 of Ch. 160 as redevelopment comm'n would be.

Adds new subsection (c) to GS 157-4.1, providing for the reverse of the above; that is, that governing body may abolish housing authority and by resolution designate existing redevelopment comm'n to exercise housing authority's powers, duties and responsibilities, with identical provisions for transfer of authority's liens, obligations, suits, taxes, etc. to comm'n. Provides that redevelopment comm'n exercising housing authority's power under this section to be governed by Ch. 157 as housing authority would be.

S 251 Limit capital punishment, minors
Introducer: Coggins

GS 14
Sent to CORRECTN

"To amend G.S. 14-17, G.S. 14-21, G.S. 14-52, and G.S. 14-58 to provide that no person under the age of 21 years at the time a murder, rape, burglary, or arson was perpetrated shall suffer death." Amends GS 14-17, 14-21, 14-52 and 14-58 as title indicates.

HOUSE

H 388 Auto plates-separated spouse
Introducer: McMichael

GS 20
Sent to INSUR

"To amend Article 13, Chapter 20 of the General Statutes of North Carolina to provide that separated spouse may reregister motor vehicle immediately on revocation of owner's registration for failure to maintain financial responsibility." Amends GS 20-309(c), -309(e), and -311 to permit spouse living separate and apart from registered owner of automobile, when registered owner has had registration suspended for lapse of financial responsibility, to reregister auto in said spouse's name immediately. (Now, cannot be reregistered within 60 days by registered owner, spouse of registered owner, child of spouse, or child of owner.)

H 390 State pay inmate transfer cost
Introducers: McDaniel and others

GS 153
Sent to CORRECTN

"To amend G.S. 153-189.1 relating to the transfer of prisoners when necessary for safety and security to relieve counties of responsibility for payment of expenses." Rewrites portion of GS 153-189.1 (transfer of prisoners when necessary for safety and security), to provide that State (now county from which prisoner transferred) shall pay to receiving county or Dep't of Correction the actual cost of maintaining prisoner in that unit for the time he remains transferred.

H 391 Farm land valuation (Iden. S 229)
Introducers: Kincaid and others

GS 105
Sent to FINANCE

"Relating to the classification, appraisal, valuation, assessment and taxation of land actively devoted to agricultural uses." Identical with S 229, digested in Bulletin No. 39, p. 275.

H 392 Arson law changes
Introducer: Whichard

GS 14
Sent to JUDIC 1

"To amend the arson laws, being Article 15, Chapter 14, of the General Statutes."
Amends GS 14-59 to make wanton and willfull burning of building owned or occupied by State, county, city, town or other governmental or quasi-governmental entity a felony punishable by imprisonment for 2-40 years and by fine in discretion of court (modernizes and simplifies definition of public buildings and changes present punishment of 5-10 years). Amends following statutes to provide imprisonment 2-40 years and fine permitted in discretion of court: GS 14-60 (Burning of schoolhouses or buildings of educational institutions; now, felony punishable by imprisonment with fine permitted in discretion of court); GS 14-62 (Setting fire to churches and certain other buildings; now, 2-40 years with no provision for fine); and GS 14-62.1 (Burning of building or structure in process of construction; now, felony punishable by imprisonment or fine or both in discretion of court).

Amends punishment provisions of following statutes to provide 4 months-10 years with fine permitted in discretion of court: GS 14-61 (Burning or attempting to burn certain bridges and buildings; now, 4 months-10 years); GS 14-63 (Burning boats and barges; now, 4 months-10 years or fine); GS 14-64 (Burning of ginhouses, tobacco houses and stables; now, 2-10 years); GS 14-65 (Fraudulently setting fire to dwelling houses; now, felony punishable by imprisonment with fine permitted in discretion of court); GS 14-66 (Wanton and willfull burning of personal property; now, felony of unspecified punishment covered by GS 14-2); and GS 14-67 (Attempting to burn dwelling houses and certain other buildings; now, felony punishable by imprisonment or fine or both). Eliminates from GS 14-61 and 14-67 references to various public buildings.

Amends above statutes where necessary to describe quality of intent of accused as "wanton and willfull." Effective upon ratification but not to apply to or effect criminal offenses committed prior to effective date.

H 393 Subcontractors' liens rewrite (Iden. S 243)
Introducer: Whichard

GS 44A, 44
Sent to JUDIC 1

"To rewrite the law governing liens of mechanics, materialmen, and laborers who deal with one other than the owner." Adds to GS Ch. 44A, Art. 2 (Statutory Liens on Real Property) a new Part 2 to govern liens of mechanics, materialmen and laborers who deal with one other than the owner (current Part 1 concerns only liens of those dealing with owner). Defines subcontractors as "first tier" (contracts with general contractor), "second tier" (contracts with first tier subcontractor), and "third tier" (contracts with second tier subcontractor), granting each subcontractor (first, second, or third tier, or more remote) who furnished labor or materials at the site of improvements a lien against funds owed the party with whom that subcontractor dealt and which arose out of improvements on which that subcontractor worked or furnished material lien to secure only amount earned by lien claimant but performance or delivery need not be complete for amount to be earned. Entitles first, second or third tier subcontractor to enforce to the extent of his claim the lien of general contractor against the owner, according to the provisions of GS 44A-7 through GS 44A-16. Provides for second tier subcontractor to be subrogated to lien of first tier subcontractor, and for third tier subcontractor to be subrogated to liens of first and second tier subcontractors.

Provides form of notice of lien for first, second or third subcontractor, with separate form for more remote subcontractors, reportedly eliminating need in notice of detailed itemization of material furnished. Reportedly retains substantially unchanged current duties of an obligor. (As used in this digest, "reportedly" means according to descriptive memorandum concerning bill.) Provides for pro rata payment to subcontractors where total funds are insufficient to satisfy all claimants. Gives perfected lien of subcontractor priority over all other claims to the funds against which lien is asserted. Repeals GS 44-6 (Lien given subcontractors, etc., on real estate), GS 44-8 (Statement of contractor's indebtedness to be furnished to owner; effect), GS 44-9 (Subcontractors, laborers and materialmen may notify owner of claim; effect), GS 44-10 (Sums due by statement to constitute lien), GS 44-11 (Where sums due contractor from owner insufficient; payment pro rata), GS 44-12 (Contractor failing to furnish statement, or not applying owner's payments to laborer's claims, misdemeanor), and GS 44-13 (Laborer for railroad contractor may sue company; conditions of action). Effective October 1, 1971.

H 394 District judges/solicitors salary GS 7A
Introducer: James Johnson Sent to APPROPN

"To fix the annual compensation of district court judges and solicitors." Rewrites GS 7A-144 to provide annual salary of \$20,500 for chief district judge and \$19,000 for district judge, payable monthly (now, states that salary of each judge to be that provided in Budget Appropriations Act), eliminating provision that judges to receive reimbursement for travel and subsistence as State employees generally. Rewrites first sentence of GS 7A-65 to provide annual salary of \$20,500 for solicitors, salary of full-time assistant solicitors to be as provided in Budget Appropriations Act (now, both are as provided in Budget Appropriations Act). Effective July 1, 1971.

H 395 Longevity pay-Highway Patrol GS 20
Introducer: James Johnson Sent to APPROPN

"To provide for the pay base for longevity pay for members of the North Carolina Highway Patrol." Provides that longevity pay for members of State Highway Patrol be based upon average salary for preceeding three years, computed annually; not to be a condition for longevity pay that member serve any particular period at maximum annual rate for his classification.

H 396 Ass't Solicitors pay raise APPROPRIATION, GS 7A
Introducer: James Johnson Sent to APPROPN

"To appropriate funds, over and above any amount otherwise appropriated to the Judicial Department, from which an increase in average annual salary to \$15,000 per year for Assistant Superior Court Solicitors can be paid." Appropriates from General Fund \$116,032 for fiscal year 1971-'72 and same sum for fiscal year from 1972-'73 to Judicial Dep't for increasing annual salaries of Ass't Solicitors in amounts determined on individual basis by Administrative Officer of the Courts, in his sole discretion. Provides that intent of appropriation is to have statewide salary for Ass't Solicitors of approximately \$15,000 per year. Effective July 1, 1971.

H 397 Abolition of capital punishment GS 14, 15
Introducers: Frye and others Sent to JUDIC 2

"To amend Chapters 14 and 15 of the General Statutes so as to abolish capital punishment." Amends GS 14-17 (murder, 14-21 (rape), 14-52 (burglary), and 14-58 (arson) by removing provision for death penalty subject to jury recommendation of life, and substituting life imprisonment as punishment. Repeals GS 15-176.1 (permitting Solicitor to argue for death penalty). Provides for additional procedures for parole of all persons sentenced to life imprisonment: (1) requires 90 days' notice to be

given in 3 statewide newspapers, stating name of person, crime for which sentenced, and date and place of parole hearing, inviting members of public to attend in person or write Bd. of Paroles concerning advisability of such parole; (2) requires trial judge, solicitor, and defense attorney to be notified of hearing by certified mail; (3) if parole recommended by Bd., it shall be presented to Governor who has right to approve or disapprove such recommendation. Provides that Act not to affect the conviction of any defendant presently under death sentence.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 389 School board members
Introducer: Patton

CLAY
Sent to EDUCATN

"To provide for the nomination and election of members of the Board of Education of Clay County." Provides that county board of education be composed of 5 members nominated in primary elections and elected in general election, both pursuant to GS 163. Provides for terms of office of incumbent members: Price and Groves to expire first Monday in Dec. 1972, and terms for Davenport, Phillips and Moore to expire first Monday, Dec. 1974. Provides that beginning in 1972, and every 4 years thereafter, each political party entitled to nominate two candidates and that two candidates with highest number of votes in general election are elected for 4-year terms. Provides that beginning in 1974, and every 4 years thereafter, each political party entitled to nominate 3 candidates to run in general election, and that three candidates with highest number of votes in general election are elected for terms of 4 years. Provides that vacancy to be filled for remainder of unexpired term by county executive committee of retiring member's political party.

H 398 Election-Mayor of Long Beach
Introducer: Soles

BRUNSWICK
Passed three readings
and sent to Senate

"To amend the Charter of the Town of Long Beach to provide for the election of the mayor." Provides for popular election of mayor beginning with regular municipal election of 1971 and every two years thereafter (now, mayor elected by bd. of comm'rs).

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 56 Insur. Comm'r-process agent (digested in Bulletin No. 10, p. 57)
Committee substitute adopted in House 3/9/71 making technical changes.

S 197 (Wake) County Bicentennial (digested in Bulletin No. 34, p. 240)
Amendment adopted in Senate 3/9/71 adding requirement for Wake County Bicentennial Comm'n to file report of expenditure of municipal appropriations with governing board of each municipality appropriating funds to Comm'n.

S 216 Municipal new registrations (digested in Bulletin No. 37, p. 259)

Amendment adopted in Senate 3/8/71 permits any municipal governing body to extend hours for new registration beyond those set forth in act.

HOUSE BILLS

H 77 Highway littering presumption (digested in Bulletin No. 10, p. 59)

Committee substitute adopted in House 3/9/71 deletes reference to "explosive or incendiary material" and adds provision making statute inapplicable to operators of common carriers, taxicabs, public and private school buses and vehicles of over 9-passenger capacity operated for non-profit corporation.

H 78 Worthless check law (digested in Bulletin No. 10, p. 59)

Committee substitute adopted in House 3/9/71 makes GS 14-107 punishment for first three offenses on checks for less than \$50 a fine up to \$50 or imprisonment up to 30 days, with subsequent offenses general misdemeanors punishable in discretion of court; and for checks over \$50 a fine up to \$500 or imprisonment up to 6 months or both, with subsequent offenses punishable as general misdemeanors in discretion of court.

Provides in GS 14-107.1 that making, drawing, etc. of check refused because of insufficient funds to be prima facie evidence of knowledge of insufficient funds to pay check, and that stamping of check by drawee of "not sufficient funds", "account closed", etc. to be prima facie evidence such stamping is true. Provides section not to apply if maker or drawer pays holder amount of check within 10 days after receiving notice check has not been paid, and that notice sent by certified or registered mail to last known address of maker is equivalent to notice being received by maker on date notice deposited in mail.

H 93 Secure loads on trucks (digested in Bulletin No. 11, p. 69)

Committee substitute adopted in House 3/9/71 deletes provision prohibiting "peak" of load from extending above top of walls, and provides no violation if height of load against 4 walls does not extend above a horizontal line 6 inches below their tops (originally 12 inches). Adds new provision prohibiting any other vehicle from being driven or moved on highway unless it is so constructed or loaded as to prevent any of load from dropping, sifting, leaking or otherwise escaping.

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 37 (J.RES.) CRIMINAL CODE COMMISSION.(2/02) H-REPTD FAV AS AMENDED.
S. 55 ADOPTIONS VENUE. S-REPTD FAV.
S. 56 INSUR. COMM'R-PROCESS AGENT.(3/09) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
S. 75 TESTAMENTARY GIFTS TO MINORS.(3/05) H-REC FROM SENATE; H-REF TO COM ON JUDIC 1.
S. 106 (J.RES.) CONSUMER CREDIT CODE STUDY. S-REPTD FAV.
#S. 110 EXTEND LIMITED DRIVING PERMITS.(3/03) S-FALIED CONCUR IN H AMEND; S-CONF COM APPOINTED.
S. 144 CLARIFY SIGNALS LAW. S-PASSED 2ND READING.
S. 161 CAPITOL RESTORATION CONTRACTS.(2/25, 3/05) S-CONCURRED IN H AMEND.
S. 212 DIVORCE COMPLAINTS. S-REPTD FAV.
S. 216 MUNICIPAL NEW REGISTRATIONS.(3/08) H-REC FROM SENATE; H-PASSED 2ND READING.
S. 219 SENTENCE CREDIT PENDING APPEAL. S-REPTD FAV; S-RE-REF COM ON JUDIC 1.
S. 220 SENTENCE CREDIT PENDING TRIAL. S-REPTD FAV; S-RE-REF COM ON JUDIC 1.
S. 232 RETIREMENT SYSTEM ADMINISTRATION. S-REPTD FAV.
S. 233 INCREASED RETIREMENT BENEFITS. S-REPTD FAV.

H. 18 \$1.60 MINIMUM WAGE.(3/02, 3/04) H-PASSED 3RD READING.
H. 24 RIGHT-OF-WAY, RESCUE SQUADS.(3/04) S-REC FROM HOUSE; S-REF TO COM ON HY SAFTY.
H. 25 RESCUE SQUAD SAFE DRIVER.(3/04) S-REC FROM HOUSE; S-REF TO COM ON HY SAFTY.
H. 77 TRASH ON HIGHWAY PRESUMPTION.(3/09) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
H. 78 WORTHLESS CHECK LAW.(3/09) H-REP FAV COM SUB AS AMEND; H-COM SUBSTITUTE ADOPTED.
H. 80 (J.RES.) CRIMINAL CODE COMMISSION. H-REPTD FAV AS AMENDED.
H. 93 SECURE LOADS ON TRUCKS.(3/09) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
H. 107 LAWFUL ARTIFICIAL INSEMINATION.(3/05) H-PASSED 2ND & 3RD READING.
H. 183 LAW OFFICERS' RETIREMENT FUND. S-REPTD FAV.
H. 187 REALTY BROKERS AND SALESMEN.(2/26) S-REPTD FAV.

- H. 189 ESTATES-TRANSFER OF AUTOS.(3/04) S-REPTD FAV AS AMENDED.
- H. 226 FILLING PUBLIC OFFICER'S VACANCY.(3/05, 3/05) H-PASSED 3RD READING.
- H. 301 LEARNERS' PERMITS-6 MONTHS. H-REPTD FAV.
- H. 317 FLAG DESECRATION. H-REPTD FAV AS AMENDED.
- #H. 344 CONCEALED WEAPONS-COURT OFFICERS. H-REPTD UNFAV.
- #H. 365 NO WEAPONS IN COURTROOM. H-REPTD UNFAV.

LOCAL BILLS

- #S. 125 (SAMPSON) CLINTON ELECTIONS.(3/05) RATIFIED CH. 63.
- S. 171 (FORSYTH) WINSTON SALEM PERSONALTY SALE. S-PASSED 2ND & 3RD READING.
- S. 185 (MECKLENBURG) MINTING MINT HILL.(3/02) H-PASSED 2ND READING.
- S. 197 (WAKE) COUNTY BICENTENNIAL.(3/09) S-COM AMEND ADOPTED; S-PASSED 2ND READING.

- H. 35 (CHOWAN) COUNTY ABC ENFORCEMENT. H-REPTD FAV.
- H. 94 (CATAWBA) HICKORY FIREMEN'S RETIREMENT.(2/11) S-PASSED 2ND & 3RD READING.
- H. 157 (DURHAM) DURHAM FIREMEN'S RETIREMENT. S-PASSED 2ND & 3RD READING.
- H. 206 (WILKES) N. WILKESBORO LAND SALE.(2/26) S-PASSED 2ND & 3RD READING.
- H. 209 (MECKLENBURG) CHARLOTTE COLISEUM AUTHORITY. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 215 (MADISON) LIQUOR SALES-1 GALLON.(2/26) S-PASSED 2ND & 3RD READING.
- H. 221 (ALAMANCE) BURLINGTON REALTY SALE. S-PASSED 2ND & 3RD READING.
- H. 234 (CHEROKEE) CHEROKEE ELECTIONS. S-PASSED 2ND & 3RD READING.
- H. 242 (NASH) NASHVILLE RETIREMENT SYSTEM. S-PASSED 2ND & 3RD READING.
- H. 278 (COLUMBUS) SPECIAL DEPUTY SHERIFFS. S-PASSED 2ND & 3RD READING.
- H. 281 (FORSYTH) WINSTON-SALEM STREET ENCROACHMENT. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 309 (MECKLENBURG) MINT HILL CONSOL. VOTE.(3/05) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 398 (BRUNSWICK) ELECTION-MAYOR OF LONG BEACH. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

Next Sessions of Senate and House: 12 noon, Wednesday, March 10, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

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BULLETIN NO. 41

-293-

WEDNESDAY, MARCH 10, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 252 (Joint Resolution) Honoring Lumberton
Introducer: Britt

MISC RES
Passed three readings
and sent to House

"Honoring the City of Lumberton as an All-American City, 1970." As title indicates.

S 255 Continuing bail bonds
Introducer: Crawford

GS 15
Sent to COURTS

"To amend Article 10 of Chapter 15 of the General Statutes so as to provide for continuing bail bonds in the General Court of Justice." Adds new GS 15-104.1 making every recognizance or appearance bond deemed to include condition that defendant is obligated to appear for hearing or trial from day to day and session to session until final judgment is entered in trial division of General Court of Justice. Entry of judgment in district court or superior court from which an appeal is taken does not constitute final judgment. Authorizes any judge of any court of General Court of Justice then having jurisdiction over defendant to increase, decrease, modify or discharge any recognizance or appearance bond or other type of recognizance.

HOUSE

H 402 Equal division-liquor surtax
Introducer: Mohn

GS 18
Sent to FINANCE

"To amend G.S. 18-85 and G.S. 18-85.2 to limit the amount of surtaxes upon spirituous liquors paid to the state." Amends GS 18-85(b) to provide that the monthly returns by municipal and county ABC stores of the 2% retail surtax on spirituous liquors levied by that subsection shall in no event exceed one-half of the profits from liquors sold through said stores (now, this limitation does not apply). Amends GS 18-85.2 to add the same restriction with respect to the 5¢ per 3-1/3 oz. surtax on spirituous liquors levied by that section (now, this limitation does not apply). Effective with respect to income years beginning on and after July 1, 1971.

H 403 Signing subpoenas
Introducer: M. Smith

GS 1A
Sent to JUDIC 2

"To amend Rule 45 of the Rules of Civil Procedure to allow attorneys to sign subpoenas in civil actions." Adds to GS 1A-1, Rule 45(a) provision making subpoena for a witness or witnesses sufficient if signed by party or his attorney. (Now, must be signed by clerk.)



H 405 Agricultural vehicle, MV law
Introducer: Beard

GS 20
Sent to HY SAFTY

"To amend G.S. 20-38(11) pertaining to the definition of implement of husbandry." Amends GS 20-38(11) to define implement of husbandry (for purposes of Motor Vehicle Act of 1937) to include any vehicle which is designed or has been modified or redesigned for agricultural purposes and used exclusively in the conduct of agricultural operations. (Now, limited to vehicles originally designed for farm purposes.)

H 407 Blind Commission employees
Introducer: McFadyen

APPROPRIATION, GS 111, 126,
135
Sent to APPROPN

"Relating to the State Commission for the Blind, to clarify the employee status of blind and visually handicapped employees of the Commission, to enroll such employees in the Teachers' and State Employees' Retirement System, and to make an appropriation therefor." Adds to GS 111-27.1 (authorizing Commission for Blind to conduct certain business operations to assist in employment of blind) provision declaring blind or visually handicapped employees or vending stand operators employed by Blind Comm'n, Bureau of Emplmnt for Blind Division, to be State employees; amends GS 126-5(b) to exempt these employees from Ch. 126 (State Personnel Act). Adds new GS 135-16.1 enrolling these employees in Teachers' and State Employees' Retirement System on July 1, 1971, giving full credit for all service theretofore as Bureau employees. Provides retired employees continue drawing benefits from TSERS equal benefits under private retirement plan created Dec. 1966, except such retired persons shall be eligible for annual cost-of-living increases as may be provided by TSERS. Terminates system, and makes Bd. of Trustees of TSERS entitled to all assets of private retirement trust. Appropriates from General Fund \$145,000.00 to cover prior service liability which will be incurred by TSERS pursuant to this Act. Effective July 1, 1971.

H 408 Health Bd. alternates
Introducer: Ingram

GS 130
Sent to HEALTH

"To amend G.S. 130-13 and G.S. 130-14 so as to provide for designation of alternates for certain members of county and district health department boards." Adds to GS 113-13 and GS 113-14 provisions to allow chairman of bd. of county comm'rs to designate a member of bd. to act as member of county or district bd. of health in his stead, and to allow mayor to designate member of city or town governing body to act as such member in his stead, in cases where chairman or mayor is member of county or district bd. of health. Designees to serve in lieu of appointing official when that official unable to attend meetings or otherwise serve.

H 409 Local waste discharge reports
Introducers: Payne and Hunt

GS 143, 153, 160
Sent to WATER

"To provide for the monitoring of the discharge of industrial and other wastes." Requires that every person discharging industrial or other wastes (other than household wastes) to system owned or operated by county, municipality or other public agency shall file with designee of that body report containing information required by that body, to contain at least following: (1) Average 24-hour discharge of industrial and other wastes; (2) Average content and concentration of industrial wastes and other wastes; (3) Average total dissolved solids, suspended solids, BOD, color, and alkalinity or acidity, expressed as pH; and (4) Estimate of increase or decrease in volume or change in content or concentration of wastes discharged, projected for 12 months from filing of report and including estimated date of change, when change will exceed 5% of average 24 hour discharge. Requires every person discharging wastes as

of Jan. 1, 1972 file described report by March 1, 1972 with certification that information set forth determined by analysis and correct; and that person desiring to begin discharging wastes after Jan. 1, 1972 file permit application with report estimating future discharges (and with certification actual discharges will not vary more than 10% from estimates), with subsequent filing of report as to actual discharges within 60 days of beginning of same. Provides every person discharging covered wastes after Jan. 1, 1973 file annual certification that measured waste not changed by more than 5% in previous year and estimate of greater-than-5% changes to occur during next year.

Permits required: (1) When person discharging wastes as of Jan. 1, 1972 desires to increase discharge by more than 5%; and (2) When person desires to begin discharging waste after Jan. 1, 1972; permit to prohibit discharge of wastes exceeding by greater than 10% discharge as estimated in application for permit. Directs governmental unit to adopt procedures for issuing of permits, considerations in issuance to include but not be limited to: existing capacity of system; planned increases in capacity of system; effect of applicant's wastes on system; and effect of wastes from system on waters of State. Permit void when issued in violation of law or when causes violation of water quality standards pursuant to GS 143-214.1 (State Water & Air Board).

Requires person discharging waste to monitor by measurement sufficient to assure variation not greater than 5% of reported levels. Authorizes governmental unit to require of person discharging waste such measurement or analysis as unit seems necessary; and requires unit semi-annually measure discharge of all persons required to report, with unit permitted to charge costs of measurement to person responsible for discharge. Provides for failure to file report civil penalty of \$25-\$500 for each day of delay after required filing date; for violation of permit requirements civil penalty of \$25-\$10,000 for each day discharge occurs; and for knowing filing of report with false information civil penalty of \$500-\$5,000. Provides action for recovery of penalties to be by governmental unit with moneys going to unit's general fund; and that person other than employee of unit acting within scope of employment giving information leading to imposition of penalty to receive one-half of penalty imposed (or may bring suit if local unit fails to sue). Effective Jan. 1, 1972.

H 410 Vehicle repair lien
Introducers: Harkins and others

GS 44A
Sent to JUDIC 1

"To amend Chapter 44 A." Adds new subsection (d) to GS 44A-2 (persons entitled to lien on personal property) to provide lien for person who repairs, services, tows or stores motor vehicles in ordinary course of business pursuant to contract with owner/possessor of vehicle, for reasonable charges for these purposes. Lien to have priority over perfected and unperfected security interests.

LOCAL BILLS INTRODUCED

SENATE

S 253 Ambulance service payments
Introducer: Allen

PERSON
Sent to LOC GOVT

"To place Person County under G.S. 14-111.2, relating to obtaining ambulance services without intending to pay therefor." Adds Person to list of counties included in GS 14-111.2, making it misdemeanor (\$500/6 months) to obtain ambulance services without intent to pay for them and with intent to defraud.

S 254 Eminent domain-landfills
Introducer: Reed

PAMLICO
Sent to LOC GOVT

"Authorizing the County Commissioners of Pamlico County to exercise the power of eminent domain to acquire land for disposal of garbage." As title indicates; eminent domain to be exercised pursuant to GS Ch. 40 (eminent domain).

HOUSE

H 399 Migratory fowl
Introducer: Roberson and Burrus

BEAUFORT
Sent to WILDLIFE

"Prohibiting the taking of migratory wild fowl in a portion of Beaufort County." As title indicates; applicable to area north of Pamlico River channel between Broad Creek and Washington City limits; violation a misdemeanor (\$50/60 days). Effective July 1, 1971.

H 400 No bear hunting
Introducers: Burrus and Roberson

BEAUFORT, HYDE, WASHINGTON
Sent to WILDLIFE

"To prohibit the taking of bear in Beaufort, Hyde and Washington Counties." As title indicates; makes it unlawful to take, trap, kill or attempt to take, trap or kill bear at any time in named counties; punishable as misdemeanor (\$100/60 days). Effective July 1, 1971.

H 401 Bobcat hunting limits
Introducer: Roberson and Burrus

WASHINGTON
Sent to WILDLIFE

"To protect bobcat and regulate the hunting thereof in Washington County." Modifies GS 113-102(c) to delete "wildcats" from category of unprotected animals, to set open season on them for period of Oct. 1 thru Mar. 31 (no bag limit during this period), and to make violation misdemeanor (\$100/30 days). Applies to Washington County only. Effective July 1, 1971.

H 404 Hillsborough police jurisdiction
Introducer: C. Smith

ORANGE
Sent to LOC GOVT

"Relating to the jurisdiction of the police of the town of Hillsborough." Gives police of Hillsborough two-mile extraterritorial jurisdiction.

H 406 Hy. ditch digging-White Lake
Introducer: Green, by request

BLADEN
Sent to CONS & DEV

"To prevent the digging of ditches below a certain level in Bladen County." Makes it unlawful to dig ditch under portions of US Hy. 701, NC Hy. 53 and SR 1515 surrounding White Lake below 66 feet above sea level (misdemeanor, subject to fine or imprisonment in discretion of court).

H 411 Maxton School Board election-2
Introducer: Speros

ROBESON
Passed second and third readings and sent to Senate

"To authorize the Robeson County Board of Elections to hold the election for the Maxton City Administrative School Unit Trustees." Adds to Ch. 784, SL 1969, Sec. 2 by provision that, in Unit Trustee election, any qualified voter in Unit is eligible

to seek election; requires filing of notices of candidacy with county **bd.** of elections at time and in manner prescribed in bill; sets filing fee at \$5.00. **Requires** bd. of elections to conduct election under same laws, rules and regulations as govern elections for county officers, and to use county registration books, records and processes. Repeals Ch. 62, SL 1971 (H 368, digested in Bulletin No. 37, p. 264).

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 37 (Joint Resolution) Criminal Code Commission (digested in Bulletin No. 7, p. 39; amendment digested in Bulletin No. 15, p. 98).

Amended in House 3/10/71 to eliminate provisions that additional expenses of Comm'n may be paid from Contingency and Emergency Fund, and that members of Comm'n who are not State officials may receive per diem and expenses allowed by GS 138-5.

S 55 Adoptions venue (digested in Bulletin No. 10, p. 57).
Technical amendment adopted in Senate 3/10/71.

S 69 Fleeing apprehension-80 mph (original bill digested in Bulletin No. 12, p. 73; committee substitute adopted in Senate 3/3/71 digested in Bulletin No. 36, p. 256).

Amendment adopted in Senate 3/10/71 deletes provision making it a rebuttable presumption that registered owner of vehicle being operated in excess of 80 mph to evade apprehension by law enforcement officer was operating vehicle at time violation was committed.

S 144 Clarify signals law (digested in Bulletin No. 24, p. 161)

Amendment adopted in Senate 3/10/71 deletes provision that failure to give signal continuously for 200 ft. does not constitute negligence per se, to provide that failure to give signal continuously for the distance required by GS 20-154 (originally, 200 feet) not constitute negligence per se.

S 212 Divorce complaints (digested in Bulletin No. 36, p. 253)

Amendment adopted in Senate 3/10/71 changes effective date from "ratification" to January 1, 1972.

HOUSE BILLS

H 80 (Joint Resolution) Criminal Code Commission (Iden. S 37, see above)

Amendment adopted in House 3/10/71 identical with amendment to S 37, adopted 3/10/71 in Senate (see above).

H 317 Flag desecration (Iden. S 178, digested in Bulletin No. 32, p. 223)

Amendments adopted in House 3/10/71 make it misdemeanor to "willfully and knowingly" desecrate US, NC flags (adds quoted language) and deletes provision that it is unlawful to take down, without lawful authority, US or NC flags flying in public places.

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 37 (J.RES.) CRIMINAL CODE COMMISSION.(2/02, 3/10) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
S. 48 GEN. STAT. COMM. VACANCIES. H-REPTD FAV.
S. 55 ADOPTIONS VENUE.(3/10, X/XX) S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
S. 56 INSUR. COMM'R-PROCESS AGENT.(3/09) H-PASSED 2ND & 3RD READING.
S. 69 FLEEING APPREHENSION-80 MPH..(3/04, 3/10) S-FLOOR AMEND ADOPTED; S-RE-REF COM ON HY SAFTY.
S. 81 LOCAL GOVERNMENT SALES TAX ACT.(2/19, 2/23, 3/02, 3/03) S-CONCURRED IN H AMEND; S-PASSED 2ND READING.
S. 106 (J.RES.) CONSUMER CREDIT CODE STUDY. S-PASSED 2ND & 3RD READING.
S. 118 APPOINTMENT, TERM OF MAGISTRATES. H-REPTD FAV AS AMENDED.
#S. 142 STATE CAPITAL CHALLENGES. S-POSTPONED INDEF.
S. 144 CLARIFY SIGNALS LAW.(3/10) S-FLOOR AMEND ADOPTED; S-PASSED 3RD READING.
#S. 161 CAPITOL RESTORATION CONTRACTS.(2/25, 3/05) RATIFIED CH. 64.
S. 173 BANKS 5-DAY WEEK. S-REPTD FAV AS AMENDED.
S. 212 DIVORCE COMPLAINTS.(3/10) S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
S. 216 MUNICIPAL NEW REGISTRATIONS.(3/08) H-PASSED 3RD READING.
S. 232 RETIREMENT SYSTEM ADMINISTRATION. S-PASSED 2ND & 3RD READING.
S. 233 INCREASED RETIREMENT BENEFITS. S-PASSED 2ND & 3RD READING.
S. 236 SUSPENSION, 10 MPH EXCESS SPEED. S-REPTD FAV AS AMENDED.
S. 239 COUNTY SOCIAL SERVICES BOARD PAY. S-REPTD FAV.
S. 252 (J.RES.) HONORING LUMBERTON. S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PASSED 2ND & 3RD READING.

H. 18 \$1.60 MINIMUM WAGE.(3/02, 3/04) S-REC FROM HOUSE; S-REF TO COM ON MFG LABR.
H. 25 RESCUE SQUAD SAFE DRIVER.(3/04) S-REPTD FAV.
#H. 60 ESTABLISH CONSTABLE OFFICE. H-REPTD UNFAV.
H. 77 TRASH ON HIGHWAY PRESUMPTION.(3/09) H-RE-REF COM ON HY SAFTY.
H. 78 WORTHLESS CHECK LAW.(3/09) H-PLACED ON CAL FOR MAR 16.
#H. 80 (J.RES.) CRIMINAL CODE COMMISSION.(3/10) H-COM AMEND ADOPTED; H-POSTPONED INDEF.
H. 93 SECURE LOADS ON TRUCKS.(3/09) H-PASSED 2ND READING.
H. 99 MIXED DRINKS ON PREMISES. H-REPTD FAV AS AMENDED.

- H. 103 TAX REFUND-SEWERAGE DISTRICTS. S-REPTD FAV AS AMENDED.
- H. 107 LAWFUL ARTIFICIAL INSEMINATION.(3/05) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
- H. 183 LAW OFFICERS' RETIREMENT FUND. S-PLACED ON CAL FOR MAR 11.
- H. 187 REALTY BROKERS AND SALESMEN.(2/26) S-PLACED ON CAL FOR MAR 11.
- H. 189 ESTATES-TRANSFER OF AUTOS.(3/04) S-PLACED ON CAL FOR MAR 11.
- H. 226 FILLING PUBLIC OFFICER'S VACANCY.(3/05, 3/05) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 235 STATE CAPITAL CHALLENGES. S-PASSED 3RD READING.
- H. 256 VALIDATE CONTRACTS-6% INTEREST. S-REPTD FAV.
- H. 301 LEARNERS' PERMITS-6 MONTHS. H-PASSED 2ND & 3RD READING.
- H. 317 FLAG DESECRATION.(3/10) H-COM AMENDS ADOPTED; H-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 171 (FORSYTH) WINSTON-SALEM PERSONALTY SALE. H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.
- S. 185 (MECKLENBURG) MINTING MINT HILL.(3/02) H-PASSED 3RD READING.
- S. 197 (WAKE) COUNTY BICENTENNIAL.(3/09) S-PASSED 3RD READING.

- H. 35 (CHOWAN) COUNTY ABC ENFORCEMENT. H-PASSED 2ND & 3RD READING.
- #H. 94 (CATAWBA) HICKORY FIREMEN'S RETIREMENT.(2/11) RATIFIED CH. 65.
- #H. 157 (DURHAM) DURHAM FIREMEN'S RETIREMENT. RATIFIED CH. 66.
- #H. 206 (WILKES) N. WILKESBORO LAND SALE.(2/26) RATIFIED CH. 67.
- #H. 215 (MADISON) LIQUOR SALES-1 GALLON.(2/26) RATIFIED CH. 68.
- H. 218 (DAVIDSON) LEXINGTON ELECTIONS.(2/22) S-REPTD FAV.
- #H. 221 (ALAMANCE) BURLINGTON REALTY SALE. RATIFIED CH. 69.
- #H. 234 (CHEROKEE) CHEROKEE ELECTIONS. RATIFIED CH. 70.
- #H. 242 (NASH) NASHVILLE RETIREMENT SYSTEM. RATIFIED CH. 71.
- #H. 278 (COLUMBUS) SPECIAL DEPUTY SHERIFFS. RATIFIED CH. 72.
- #H. 300 (MECKLENBURG) MINTING MINT HILL.(3/08) H-POSTPONED INDEF.
- H. 319 (HARNETT) DUNN ELECTIONS.(3/08) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 398 (BRUNSWICK) ELECTION-MAYOR OF LONG BEACH. S-REPTD FAV.
- H. 411 (ROBESON) MAXTON SCHOOL BOARD ELECTION-2. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

Next Session of House: 11:00 a.m., Thursday, March 11, 1971.

Next Session of Senate: 12 noon, Thursday, March 11, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

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BULLETIN NO. 42

-301-

THURSDAY, MARCH 11, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 256 Removing over-age students
Introducer: Burney

GS 115
Sent to EDUCATN

"To authorize superintendents, or principals with the approval of the superintendent, of any public school administrative unit to prohibit the enrollment of or remove from public school any student who has attained the age of 21 years." Adds to GS 115-163 provision as title indicates.

S 257 (Joint Resolution) Honoring Gen. Tolson
Introducers: Henley and McGeachy

MISC RES
Passed three readings and
sent to House

"Honoring Lieutenant General John Jarvis Tolson, III." As title indicates.

S 258 Community college capital funds (Iden. H 414)
Introducers: Mills and others

APPROPRIATION, GS 115A
Sent to APPROPN

"To appropriate to the State Board of Education the sum of twenty-seven million, four hundred eighty-seven thousand, and fifty-two dollars (\$27,487,052.00) for the purpose of providing capital improvement matching funds to be distributed as grants-in-aid to institutions of the Community College System." Identical to H 414, digested in the House section of today's Bulletin.

S 261 "From This Day Forward" funds (Iden. H 425)
Introducer: Flaherty

APPROPRIATION
Sent to APPROPN

"To appropriate funds to the Old Colony Players for its production of 'From This Day Forward'." Appropriates from General Fund \$5,000 for purpose indicated by title; \$2,500 to be expended each year of biennium to expand publicity and aid production.

S 262 (Joint Resolution) Welcoming the original 13
Introducer: Moore

MISC RES
Passed three readings and
sent to House

"Welcoming and encouraging bicentennial representatives of the original thirteen states." As title indicates; directs Secretary of State to certify copies of resolution to chairmen of various bicentennial committees.



S 263 Employment of welfare recipients
Introducer: Staton

GS 108
Sent to RESOURCES

"To amend G.S. 108-39 to provide for rules by the State Board of Social Services, rather than county departments of social services, concerning efforts of certain public assistance recipients to gain employment." Amends GS 108-39(c) to provide that a parent or child required to engage in gainful employment but unable to gain employment shall register with employment service and make reasonable and continuous efforts to gain employment and provide proof of same as State Board of Social Services (now, county departments of social services) may require.

S 264 Revocation of adoption consent
Introducer: Staton

GS 48
Sent to RESOURCES

"To provide for the waiver of the right to revoke consent for adoption given generally to a director of social services or to a licensed child placing agency." Amends GS 48-11 to provide consent of natural parent to adoption not revocable if right to revoke consent is waived in writing, and that any filing or other disposition required by law to be made as to written consent to adoption also required as to written waiver of right to revoke consent (written waiver provision not now contained in statute, which provides that natural parent has 30 days to revoke consent to adoption). Effective July 1, 1971.

S 265 Welfare grant revisions
Introducer: Staton

GS 108
Sent to RESOURCES

"To repeal certain provisions in Chapter 108 of the General Statutes which permit county boards of commissioners to make changes in individual welfare grants." Repeals GS 108-42(c) (right of board of county comm'rs to review grant approved by county board of social services and take proper action if grant deemed improperly allowed under policies of State Bd. of Social Services). Amends GS 108-43 to provide notice of modification or termination of award of recipient by county board of social services to be given State Department (now, Board) of Social Services. Amends GS 108-44(a) to conform to repeal of GS 108-42(c).

S 266 County home regulations
Introducer: Staton

GS 153
Sent to RESOURCES

"To change the designation 'State Board of Public Welfare' to 'State Board of Social Services' wherever the designation 'State Board of Public Welfare' appears in G.S. 153-154, and to provide for the issuance and enforcement of regulations by the State Board of Social Services and for the operation of county homes." Amends GS 153-154 as title indicates and by changing reference to "inmate" of county home to "resident" of home. Adds new GS 153-155.1 to provide State Board of Social Services to adopt regulations for operation of county homes and for care of residents thereof. Provides adoption of regulations and their enforcement to be accomplished in same manner and extent as provided by GS 153-53 and GS 153-53.1 for local confinement facilities. Effective July 1, 1971.

S 267 GS 1A, 1B replacement volumes (Iden. H 417)
Introducer: Strickland

GS 164
Sent to RULES

"To adopt 1969 Replacement Volumes 1A and 1B of the General Statutes." Identical with H 417, digested in the House section of today's Bulletin.

S 268 Validate marital contracts-2
Introducer: Crawford

GS 52
Sent to JUCIC 1

"To validate certain contracts between husband and wife." Amends GS 52-8 to validate contracts between husband and wife where wife not privately examined, where contracts entered into between Jan. 1, 1930 and Jan. 1, 1971 (now, June 20, 1963).

Does not affect pending litigation. For related bill see H 334, digested in Bulletin No. 34, p. 239 (changing June 20, 1963 to June 20, 1969).

S 269 Scholarships, police dependents
Introducers: Folger and McGeachy

GS 143, 116
Sent to CORRECTN

"To amend Chapter 143 of the General Statutes so as to provide scholarships for dependent children of law enforcement officers who are killed or permanently disabled in the line of duty." Adds new Art. 12B, GS Ch. 143, establishing scholarship program as indicated by title. Defines law enforcement officer as officer employed full time by State, any county or municipality in NC of Dep't of Correction employee. Vests administration of program in Bd. of Commissioners of Law Enforcement Officers Benefit and Retirement Fund and places responsibility for disbursing funds in Dep't of Administration. Bd. shall determine eligibility of applicants and select scholarship recipients, and may suspend or revoke scholarships if it finds recipient does not maintain adequate academic status, or engages in riots, unlawful demonstrations or other unlawful or disorderly conduct. Provides for funds appropriated for program to Dep't of Administration to be placed in separated budget code. Provides that all scholarship recipients receive allowance at one rate, irrespective of course or institution as determined by Director of Budget; room and board allowances to be determined by Director. Disbursements made directly to institution for credit to account of each recipient. Board may suspend awards in any private institutions not complying with Act. Effective July 1, 1971.

HOUSE

H 414 Community college capital funds (Iden. S 258)
Introducers: Falls and others

APPROPRIATION, GS 115A
Sent to APPROPN

"To appropriate to the State Board of Education the sum of twenty-seven million, four hundred eighty-seven thousand, and fifty-two dollars (\$27,487,052.00) for the purpose of providing capital improvement matching funds to be distributed as grants-in-aid to institutions of the Community College System." Appropriates \$27,487,052.00 from General Fund for purpose indicated in title. Distributive allocations to be made under GS 115A-18 (financial support of community colleges) in accordance with Construction Funding Formula adopted by State Bd. of Educ., currently in effect.

H 417 GS 1A, 1B replacement volumes (Iden. H 267)
Introducer: Whichard

GS 164
Sent to JUDIC 1

"To adopt 1969 Replace Volumes 1A and 1B of the General Statutes." Enacts new GS 164-11.9 adopting Replacement Vols. 1A and 1B of General Statutes, but not to operate as ratification of editors' judgment in placing certain sections of volume in 1970 Interim Supplement to 1B, which sections shall be treated as part of the replacement volume.

H 418 Aeronautics revision
Introducer: Twiggs

GS 63
Sent to JUDIC 2

"Revising Chapter 63 of the General Statutes dealing with 'Aeronautics'." Repeals "definitions" (GS 63-1, -10 and -29), makes present GS 63-48 become GS 63-1 (definitions), and redesignates "aeronaut(s)" and "airman(men)" where term appears in GS 63-16, -17 and -18. Rewrites GS 63-15 (aircraft collision) to provide that liability for negligent operation of aircraft be determined "in accordance with the substantive tort law of NC and the provisions of this chapter" (now, by rules of law applicable to torts on land). Creates rebuttable presumption that aircraft is operated, at time of crash and immediately prior thereto, by pilot-in-command when aircraft is occupied by more than one person. Defines "pilot-in-command".

H 419 County social services board pay (Iden. S 239) GS 108
Introducer: Twiggs Sent to SOC SERV

"To provide that the amount per diem to be received by the members of county boards of social services shall be established by the county boards of commissioners." Identical with S 239, digested in Bulletin No. 39, p. 277.

H 420 Welfare residence repeal (Iden. S 240) GS 108
Introducer: Twiggs Sent to SOC SERV

"To delete from Chapter 108 of the General Statutes a public assistance eligibility requirement of continuous residence for one year so as to put G.S. 108-24 in conformity with a requirement of the United States Supreme Court and the United States Department of Health, Education, and Welfare." Identical with S 240, digested in Bulletin No. 39, p. 277.

H 421 Custodial child support (Iden. S 241) GS 7A
Introducer: Twiggs Sent to SOC SERV

"To provide for the support of a child committed to the custody of an agency or person." Identical to S 241, digested in Bulletin No. 39, p. 277.

H 422 Interstate placement of children (Iden. S 245) GS 110
Introducer: Twiggs Sent to SOC SERV

"To provide for the adoption of the Interstate Compact on the Placement of Children." Identical with S 245, digested in Bulletin No. 40, p. 283.

H 423 Franchise, intangibles tax certif. GS 105
Introducer: Bumgardner Sent to FINANCE

"To vest the duty of certifying franchise and intangibles taxes to local governing units in the Commissioner of Revenue." Amends GS 105-116(g) para. 2 making duty of Commissioner of Revenue to certify to State Disbursing Officer and State Treasurer amount distributable to each municipality under this section. (Franchise and privilege tax on public service companies -now, State Board of Assessment certifies. Amends GS 105-120 (d) (franchise or privilege tax on telephone companies) in like manner. Rewrites GS 105-213 empowering Commissioner of Revenue to certify directly to State Disbursing Officer and State Treasurer (now, to Assessment Bd.) amount of taxes collected to be distributed to each county and municipality under Intangible Personal Property Tax article. Permits deductions from net collections: (1) tax credit specified in GS 105-122(d), (2) cost to state to administer and collect taxes levied under this article for preceding fiscal year, and (3) cost to state for operation of Bd. of Assessment for preceding fiscal year. Requires chairman of county comm'rs in each county to report to Revenue Commissioner (now Assessment Bd) such information as he may request in making allotments, and empowers him to disregard in making allotments any unit not reporting within prescribed time.

H 424 Legis. retirement contributions GS 120
Introducer: Fulton Sent to FINANCE

"To provide for contributions by members of the General Assembly to the Legislative Retirement Fund." Adds new GS 120-4.1(1), providing for mandatory payroll deductions from salary of all Gen'l Assembly members, each payroll period, in amount equal to percent set forth for State employee payroll deductions under GS 135-8 (Teachers' and State Employees' Retirement System Act). Creates Legislative Retirement Contribution Fund for receipt of such payroll deductions; Fund to be managed per GS 120-4.1(e); and sections of GS Ch. 135 relating to refunds or returns of contributions to apply to Fund. Requires contributions and interest in member's account, upon his retirement, be transferred to Legislative Retirement Fund for defraying expense of paying retirement allowance. Provides that no service credit be allowed under proposed bill for any period of service with

respect to which member has made contributions and received refunds. Effective 9/1/71.

H 425 "From This Day Forward" funds (Iden. S 261) APPROPRIATION
Introducer: Fulton and others Sent to APPROPRN

"To appropriate funds to the Old Colony Players for its production of 'From This Day Forward'." Identical to S 261, digested in the Senate section of today's Bulletin.

LOCAL BILLS INTRODUCED

SENATE

S 259 Kings Mtn. field house contract (Iden. H 416) CLEVELAND
Introducer: Harris Sent to EDUCATN

"To authorize the Kings Mountain City Board of Education to enter into certain contracts without complying with the provisions of Article 8 of Chapter 143 of the General Statutes." Identical with H 416, digested in House section of today's Bulletin.

S 260 Kinston City Charter LENOIR
Introducer: Larkins Sent to LOC GOVT

"To amend the Charter of the City of Kinston." Amends Ch. 92, SL 1961, section 6-25 (City Charter, sale of real property exceeding \$15,000 in value) to provide for sale of such property but only "to any nongovernmental entity" by means now set forth in sec. 6-25 (adding quoted language). Adds new subsection providing for exchange, lease, purchase, sale or other agreements regarding joint use of city property with other governmental units; requires notice and hearing before transaction made. Defines governmental units to include city, county and State agencies, and school units.

S 270 West Jefferson ABC stores ASHE
Introducer: Folger Sent to ABC

"Authorizing the establishment of a town liquor control store in the town of West Jefferson upon a vote of the people and providing for the allocation of the net proceeds from the operation of such store." Authorizes bd. of aldermen of West Jefferson to order election on question of operation of ABC store, provided 20 days' notice of election given prior to opening registration books and books remain open for 20 days thereafter before election held. If ABC store approved, provides subsequent election for voting against store may be called upon petition of 15% registered voters or by bd. on its own motion. If ABC store approved mayor and aldermen shall create town board of alcoholic control composed of chairman and 2 others to serve 3-year terms, and empowered with all powers and duties imposed by GS 18-45 except GS 18-45(15). Net profits of ABC store shall be distributed quarterly as follows: 2% to Ashe County Rescue Squad, 3% to West Jefferson volunteer fire department, 10% to be used exclusively for town park and recreational facilities and 15% for exclusive use of law enforcement in West Jefferson and 70% to West Jefferson's general fund.

HOUSE

H 412 Pinebluff property conveyance MOORE
Introducer: Auman Sent to EDUCATN

"To permit the County Board of Education of Moore County to convey to the Town of Pinebluff certain real property." Permits bd. to convey all their right, title, and interest in Lot. No. 1 in Block "D" and "3" shown on map of Town of Pinebluff.

H 413 Wound reports by hospitals
Introducer: Harris

ALAMANCE
Sent to LOC GOVT

"To amend Chapter 4 of the 1971 Session Laws so that it will apply to Alamance County." Adds Alamance to New Hanover in requiring hospitals to report wounds, as required by S 6, digested in Bulletin No. 1, p. 2 and amended.

H 415 Firemen retirement-Lexington-2
Introducers: Hege and Snyder

DAVIDSON
Sent to LOC GOVT

"To provide a supplemental retirement fund for firemen in the City of Lexington and to modify the application of G.S. 118-5, G.S. 118-6, and G.S. 118-7 to the City of Lexington." Identical with S 237, digested in Bulletin No. 39, p. 278, except that H 415 specifies \$300 annual maximum in supplemental retirement benefits (filling blank in S 237) and H 415 omits general repealer clause.

H 416 Kings Mtn. field house contract (Iden. S 259)
Introducer: Mauney by request

CLEVELAND
Sent to EDUCATN

"To authorize the Kings Mountain City Board of Education to enter into certain contracts without complying with the provisions of Article 8 of Chapter 143 of the General Statutes." Authorizes bd. to enter into construction contracts for field house at John Gamble Stadium without advertisement and without complying with provisions of Art. 8, Ch. 143.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 118 Appointment and term of magistrates (digested in Bulletin No. 21, p. 135)
Amendment adopted in House 3/11/71 limits the Administrative Officer of the courts to consultation with the chief district judge in determining salaries. (Previously permitted consultation with him or with senior regular resident superior court judge if no chief district judge.) Also provides that term of office for magistrate in office on day before first Monday in Dec. 1972 to extend to Dec. 31, 1972.

S 173 Banks five-day week (digested in Bulletin No. 30, p. 203)
Amendment adopted in House 3/11/71 rewrites GS 55-77.1 to clarify definition of covered "banks," empower Commissioner of Banks to permit banks to operate on five-day week basis, require written notice, and create criteria of "best interests of the public and the bank" to guide Commissioner. Authorizes but does not require Commissioner to hold hearing in community where bank located. (Now, no criteria set forth, and hearing in community mandatory.)

S 236 Suspension, 10 MPH excess speed (digested in Bulletin No. 39, p. 276)
Technical amendment adopted in Senate 3/11/71.

HOUSE BILLS

H 93 Secure loads on trucks (digested in Bulletin No. 11, p. 69; committee substitute adopted in House 3/9/71 digested in Bulletin No. 40, p. 289)
Amendment adopted in House 3/11/71 changes effective date of bill from ratification to July 1, 1971.

H 103 Tax refund-sewerage districts (Iden. S 65, digested in Bulletin No. 11, p. 64)
Technical amendment adopted in Senate 3/11/71.

SENATE AND HOUSE

CALENDAR ACTION

MAR.11,1971

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 37 (J.RES.) CRIMINAL CODE COMMISSION.(2/02, 3/10) S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.
 S. 48 GEN. STAT. COMM. VACANCIES. H-PASSED 2ND & 3RD READING.
 S. 54 (J.RES.) HONORING GUILFORD. H-REPTD FAV.
 S. 55 ADOPTIONS VENUE.(3/10) H-REC FROM SENATE; H-REF TO COM ON JUDIC 1.
 S. 56 INSUR. COMM'R-PROCESS AGENT.(3/09) S-REC TO CONCUR IN COM SUB; S-REF TO COM ON INSUR.
 S. 81 LOCAL GOVERNMENT SALES TAX ACT.(2/19, 2/23, 3/02, 3/03) S-PASSED 3RD READING.
 S. 105 FARM TRAILERS-SOYBEANS & CORN. H-REPTD FAV.
 S. 106 (J.RES.) CONSUMER CREDIT CODE STUDY. H-REC FROM SENATE; H-REF TO COM ON JUDIC 1.
 S. 113 RIGHT OF WITHDRAWAL-STORED WATER. H-REPTD FAV.
 S. 118 APPOINTMENT, TERM OF MAGISTRATES.(3/11) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
 S. 144 CLARIFY SIGNALS LAW.(3/10) H-REC FROM SENATE; H-REF TO COM ON HY SAFTY.
 S. 173 BANKS 5-DAY WEEK.(3/11) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
 S. 188 PEACE WARRENT REPEAL. S-REPTD FAV.
 S. 212 DIVORCE COMPLAINTS.(3/10) H-REC FROM SENATE; H-REF TO COM ON JUDIC 2.
 #S. 216 MUNICIPAL NEW REGISTRATIONS.(3/08) RATIFIED CH. 74.
 S. 232 RETIREMENT SYSTEM ADMINISTRATION. H-REC FROM SENATE; H-REF TO COM ON ST PERS.
 S. 233 INCREASED RETIREMENT BENEFITS. H-REC FROM SENATE; H-REF TO COM ON ST PERS.
 S. 236 SUSPENSION, 10 MPH EXCESS SPEED.(3/11) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
 S. 239 COUNTY SOCIAL SERVICES BOARD PAY. S-PASSED 2ND & 3RD READING.
 S. 242 MEDICAL REVIEW NOTICE:DRIVER LIC. S-REPTD FAV.
 S. 250 RENEW OFFICER'S AUTO INSURANCE. S-REPTD FAV.
 #S. 252 (J.RES.) HONORING LUMBERTON. RATIFIED RES. 23.
 S. 257 (J.RES.) HONORING GEN. TOLSON. S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PASSED 2ND & 3RD READING.
 S. 262 (J.RES.) WELCOMING THE ORIGINAL 13. S-PASSED 2ND & 3RD READING.
 H. 11 SUSPENSION OF SCHOOL TERM.(3/04, 3/04) S-REPTD FAV.

- H. 16 SUSPENSION OF SCHOOL DAY.(3/04) S-REPTD FAV.
- H. 25 RESCUE SQUAD SAFE DRIVER.(3/04) S-PASSED 2ND & 3RD READING.
- H. 38 ANNUAL LEGISLATIVE SESSIONS. H-RECALLED FROM COM; H-RE-REF COM ON CONSTUTN.
- H. 92 DIAGNOSTIC LAB-COUNTY FUNDS. S-RECALLED FROM COM; S-RE-REF COM ON LOC GOVT.
- H. 93 SECURE LOADS ON TRUCKS.(3/09, 3/11) H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING.
- H. 99 MIXED DRINKS ON PREMISES. H-PLACED ON CAL FOR MAR 16.
- H. 103 TAX REFUND-SEWERAGE DISTRICTS.(3/11) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- H. 141 70 MPH MAXIMUM-CERTAIN HIGHWAYS. S-PASSED 2ND & 3RD READING.
- H. 170 RIGHT OF WITHDRAWAL-STORED WATER. H-REPTD FAV.
- #H. 175 (J.RES.) HONORING TIMBERLAKE PAD. H-REPTD UNFAV.
- H. 183 LAW OFFICERS' RETIREMENT FUND. S-PASSED 2ND & 3RD READING.
- H. 187 REALTY BROKERS AND SALESMEN.(2/26) S-PASSED 2ND READING.
- H. 189 ESTATES-TRANSFER OF AUTOS.(3/04) S-RE-REF COM ON JUDIC 1.
- #H. 235 STATE CAPITAL CHALLENGES. RATIFIED CH. 76.
- H. 237 LEGISLATIVE ELECTRONIC VOTING. H-REPTD FAV.
- H. 256 VALIDATE CONTRACTS-6% INTEREST. S-PASSED 2ND READING.
- H. 295 PROBATIONARY DRIVERS' LICENSES. H-REPTD FAV AS AMENDED.
- H. 301 LEARNERS' PERMITS-6 MONTHS. S-REC FROM HOUSE; S-REF TO COM ON HY SAFTY.
- H. 304 TUESDAY PRIMARIES. H-REPTD FAV AS AMENDED.
- H. 317 FLAG DESECRATION.(3/10) S-REC FROM HOUSE; S-REF TO COM ON VETERANS.
- H. 334 VALIDATE MARITAL CONTRACTS. S-REPTD FAV AS AMENDED.
- H. 369 MEDICAL CARE HOSPITAL GRANTS. H-REPTD FAV.
- H. 408 HEALTH BD. ALTERNATIVES. H-REPTD FAV.

LOCAL BILLS

- #S. 185 (MECKLENBURG) MINTING MINT HILL.(3/02) RATIFIED CH. 73.
- S. 197 (WAKE) COUNTY BICENTENNIAL.(3/09) H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.
- H. 35 (CHOWAN) COUNTY ABC ENFORCEMENT. S-REC FROM HOUSE; S-REF TO COM ON ABC.
- H. 146 (CUMBERLAND) REPEALING ANNEXATION EXEMPTION. H-REPTD FAV.
- H. 218 (DAVIDSON) LEXINGTON ELECTIONS.(2/22) S-PASSED 2ND & 3RD READING.
- H. 346 (ORANGE) CHAPEL HILL VOTE REGISTER. H-REPTD FAV AS AMENDED.
- H. 352 (WAYNE) FREMONT ALDERMEN'S TERMS. H-REPTD FAV; H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 398 (BRUNSWICK) ELECTION-MAYOR OF LONG BEACH. S-PASSED 2ND & 3RD READING.
- H. 411 (ROBESON) MAXTON SCHOOL BOARD ELECTION-2. S-REPTD FAV; S-PASSED 2ND & 3RD READING.

Next Sessions of Senate and House: 10:00 a.m., Friday, March 12, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 43

-309-

FIRDAY, MARCH 12, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 271 UNC-G dorm financing (Iden. H 438)
Introducer: Henley

APPROPRIATION, GS 116
Sent to APPROPN

"To amend Chapter 1205 of the 1969 Session Laws to provide change only with respect to authorizing the financing and construction of a dormitory at the University of North Carolina at Greensboro." Amends SL 1969, Ch. 1205, Sec. 2 for the purpose of increasing construction cost allowance to \$4,400.00 per student occupant (now, \$3,900.00), and provide project cost shall not exceed \$2,640,000.00 (now, \$2,340,000.00) financed by issuance of revenue bonds by Bd. of Trustees of UNC subject to provisions of GS Ch. 116.

S 272 Appalachian State dorm financing (Iden. H 439)
Introducer: Henley

APPROPRIATION, GS 116
Sent to APPROPN

"To amend Chapter 1188 of the 1969 Session Laws to provide change only with respect to a project wholly self-liquidating." Amends cited Act for the purpose of increasing construction cost allowance for 900 unconstructed self-liquidating domitory spaces at Appalachian State University remaining of 1200 authorized by 1969 Act, to \$4,400 per student (now, \$3,900). Provides project cost shall not exceed \$3,960,000 (\$4,680,000 in 1969 Act).

S 273 Medical assistance deficits (Iden. H 433)
Introducer: Killian

APPROPRIATION, GS 108
Sent to APPROPN

"To provide for the assumption of certain welfare costs by the state." Identical with H 433, digested in House section of today's Bulletin.

S 274 Police officers, death benefits
Introducers: McGeachy and Folger

GS 143
Sent to JUDIC 2

"To amend G.S. 143-166.3 so as to increase the death benefits for law enforcement officers." Increases death benefits for law enforcement officers killed in line of duty to \$15,000 (now, \$5,000). Effective upon ratification, retroactive from January 1, 1971.

S 275 Sale of unclaimed vehicles
Introducer: McGeachy

GS 20
Sent to JUDIC 2

"To authorize sale of stored motor vehicles which are unclaimed after a period of 90 days, to provide for payment of costs of sale and to provide for escheat of excess proceeds of sale." Rewrites GS 20-77(d) making it misdemeanor punishable by



maximum \$50.00 or 30 days for operator of garage or similar facility in which vehicle remains unclaimed for 30 days not to report vehicle as unclaimed to Dep't of Motor Vehicles. Sets out procedure for garage owner to sell any vehicle which remains unclaimed for 90 days after reported, as follows: (1) Garage owner or storage keeper must give written notice by delivery or registered letter to person who made storage, to registered owner if known, and to others known to claim lien or interest in vehicle. (2) Notice to contain description of vehicle, demand for claim on or before specified day and statement that if unclaimed, vehicle will be sold at auction as specified. (3) If unclaimed, may be sold at place where stored or at courthouse in county where stored. Specifies contents of and publication procedure for advertisement of sale. Copy of advertisement to be sent to Comm'r of Motor Vehicles at least 20 days prior to sale. Permits proceeds of sale to be divided as follows: garage owner or storage keeper may keep amount to reasonably satisfy costs of advertisement and sale, and hold balance for 10 days to deliver on demand to person to whom he would have been bound to deliver vehicle. Thereafter, balance to be held by clerk of superior court for 12 months for delivery on demand to person entitled thereto, and if unclaimed, balance to escheat to University of North Carolina. Person selling under this article to remove any unexpired registration plates and return to Dep't. Permits at any time prior to sale person claiming right of property or possession in vehicle to pay garage owner for reasonable expense and liabilities incurred in notice, advertising and preparation for sale, and thereafter take possession of vehicle.

S 276 Rural districts exclusions
Introducer: Scott

GS 69
Sent to LOC GOVT

"Excluding from rural fire protection districts electric generating plants devoted to public service because of their special nature." Adds new GS 69-25.16 as title indicates, excluding from rural fire protection districts electric generating plants--they have their own complete fire protection systems, and specially trained personnel are required to fight fires at such plants.

HOUSE

H 427 No garnishment, blind funds
Introducer: McFadyen

GS 111
Sent to BLIND

"To amend Chapter 111 of the General Statutes to provide that no monies belonging to an aid to the blind recipient identifiable as monies received pursuant to an aid to the blind award shall be subject to levy, attachment or garnishment." Amends GS 111-18 as title indicates. Effective July 1, 1971.

H 428 Blind relief, state residence
Introducer: McFadyen

GS 111
Sent to BLIND

"To amend Chapter 111 of the General Statutes to provide that any person residing in North Carolina at the time of his application who is otherwise eligible, is eligible for aid to the blind." Amends GS 111-15(3) to provide that blind aid applicant is eligible if residing in State with intention of making home in State (now, one year residence required preceding application). Removes from GS 111-11 reference to one-year residence as part of definition of visually handicapped person for purposes of Chapter. Amends GS 111-6.1 to permit visually handicapped persons physically present in North Carolina to enjoy benefits of NC's blind rehabilitation services (now, one year residence in State required).

H 429 Blind relief, reinvestigation
Introducer: McFadyen

GS 111
BLIND

"To amend Chapter 111 of the General Statutes to provide that the circumstances and conditions of persons receiving aid to the blind be reinvestigated at least annually." Amends GS 111-20 (awards subject to reopening upon change in condition) to require at least annual investigations, or more often, as may be found necessary (now, biannual). Effective July 1, 1971.

H 430 Incentive funds for doctors
Introducers: Taylor and others

APPROPRIATION, GS 131
Sent to APPROPN

"To appropriate funds for incentive payments to doctors who will practice in medically deprived areas." Appropriates from General Fund for 1971-73 biennium \$580,000 to NC Medical Care Comm'n for use in "pilot incentive program" of maximum payments of \$5,000 per annum for period of 2 years to licensed doctors who will practice medicine in areas assigned to them and considered by Comm'n to be without adequate medical services. Requires funds unusable for stated purposes to be used by Comm'n for GS Ch. 131, Art. 13 purposes (Medical Care Comm'n and Program of Hospital Care).

H 431 Medical Care appropriation
Introducers: Taylor and others

APPROPRIATION, GS 131
Sent to APPROPN

"To appropriate funds for use by the North Carolina Medical Care Commission." Appropriates from General Fund for 1971-73 biennium \$425,000.00 to NC Medical Care Commission for use for Comm'n's purposes as set out in Art. 13, Ch. 131 of General Statutes.

H 433 Medical assistance deficits (Iden. S 273)
Introducers: Patton and L. Ramsey

GS 108
Sent to SOC SERV

"To provide for the assumption of certain welfare costs by the State." Provides that for fiscal year 1970-71, when any county properly has expended such total amount of county money, under GS Ch. 108, for aid to aged, aid to disabled, aid to families with dependent children, medical assistance, work incentive program and administrative expenses for all programs whatever, as has been required of county by Comm'r of Social Services or State Board of Social Services as county's share of expenses, all such expenses shall thereafter be paid by State. Appropriates from General Fund \$2 mil. for fiscal 1970-71 for purposes of act.

H 434 Dividends, cash or property
Introducer: J. Ramsey

GS 55
Sent to JUDIC 2

"To amend General Statute 55-50 to provide that minority shareholders, defined as the holder or holders of twenty percent (20%) or more of the shares of a class, may demand additional dividends." Adds subsection (i) to GS 55-50, providing that if corporation pays less than one-third of "net profits" to shareholders during immediately preceding fiscal period, holders of 20% or more of shares of class stock to which dividends (in cash or shares) were paid may, within 4 months after close of period, make written demand for additional dividends for that period. Upon demand, directors to issue dividends to those shareholders in amount equal to difference between dividends paid in preceding fiscal period and one-third of net profits of said period allocable to that class, subject to restriction that corporation cannot be required to pay dividends if payment would exceed 50% of net profits of period or would impair net profits being retained to eliminate deficits. Sets forth rules relating to crediting dividend payments to certain fiscal periods.

H 435 Rejection of surety bonds
Introducer: S. Johnson

GS 143
Sent to JUDIC 1

"To amend G.S. 143-129 pertaining to rejection of bonds in contracts involving a state agency or a political subdivision." Amends GS 143-129 (procedure for letting public contracts) to permit Dep't of Administration or owning agency in contracts involving State agency, and owning agency or governing body thereof in contracts involving political subdivision, to reject performance or surety bonds on basis of surety's past performance, financial condition, prompt settlement of claims, prior actions in cases of contractor's default, or time and quality of performance. (Now, may reject only if unsettled claim pending against surety more than 180 days.) Dep't or owning agency may proceed immediately with contract under bond of acceptable company. Rejection does not excuse contractor from his bid security; where bond rejected, contractor to have 10 days from date of rejection to obtain satisfactory bond.

H 436 Hearing Aid Board repeal
Introducer: Twiggs

GS 93D
Sent to HEALTH

"To repeal Chapter 93D of the General Statutes of North Carolina." Repeals GS Ch. 93D (NC State Hearing Aid Dealers and Fitters Board) and requires that funds held by Board be filed in General Fund along with an accounting for such funds.

H 437 Income tax rate revision
Introducer: M. Smith

GS 105
Sent to FINANCE

"To amend G.S. 105-136 to revise the tax rates applicable to individual net incomes over eight thousand dollars." Rewrites GS 105-136 (individual income tax rates) with respect to rates applicable to net incomes over \$8,000 (makes no changes with respect to rates applicable to net incomes of \$8,000 or less). New rate structure to be as follows: Between \$8,001 and \$10,000, rate of 7%. Between \$10,001 and \$12,000, rate of 8%. Between \$12,001 and \$14,000, rate of 9%. Above \$14,001, rate of 10%. Effective upon ratification but applicable to all taxable years beginning on and after Jan. 1, 1971.

H 438 UNC-G dorm financing (Iden. S 271)
Introducer: Royall

APPROPRIATION, GS 116
Sent to APPROPN

"To amend Chapter 1205 of the 1969 Session Laws to provide change only with respect to authorizing the financing and construction of a dormitory at the University of North Carolina at Greensboro." Identical with S 271, digested in Senate section of today's Bulletin.

H 439 Appalachian State dorm financing (Iden. S 272)
Introducer: Royall

APPROPRIATION, GS 116
Sent to APPROPN

"To amend Chapter 1188 of the 1969 Session Laws to provide change only with respect to a project wholly self-liquidating." Identical with S 272, digested in Senate section of today's Bulletin.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 426 Auto removal liens, Washington
Introducer: Roberson

BEAUFORT
Sent to LOC GOVT

"To amend Chapter 163 of the Session Laws of 1963, being the Charter of the City of Washington." Adds to City Charter new Sec. 16.2, providing City Council may by ordinance establish rates for removing abandoned motor vehicles from private property and charge for removal. If not paid within 30 days, charge to become lien against real property from which auto removed, assessable and collectible in same manner as taxes or by suit.

H 432 County school board election
Introducer: C. Smith

ORANGE
Sent to LOC GOVT

"To amend Chapter 1108, Session Laws of 1963, concerning the election of members of the Orange County Board of Education." Amends SL 1963, Ch. 1108 to provide that vacancies on the Board of Educ. of members elected pursuant to GS 115-19 shall be filled by appointment of remaining members, new member to serve until next school Board election, at which time person shall be elected to fill remaining unexpired term. Amendment conforms to GS 115-24.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

None

HOUSE BILLS

H 334 Validate marital contracts (digested in Bulletin No. 34, p. 239)
Amendment adopted in Senate 3/12/71 provides bill not to affect pending litigation.

H 346 (Orange) Chapel Hill vote, register (digested in Bulletin No. 35, p. 248)
Technical amendments adopted in House 3/12/71.

SENATE AND HOUSE

CALENDAR ACTION

MAR.12,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 54 (J.RES.) HONORING GUILFORD. H-PASSED 2ND & 3RD READING.
S. 105 FARM TRAILERS-SOYBEANS & CORN. H-POSTPONED TO MAR 15.
S. 113 RIGHT OF WITHDRAWAL-STORED WATER. H-PASSED 2ND READING;
H-PLACED ON CAL FOR MAR 16.
S. 118 APPOINTMENT, TERM OF MAGISTRATES. (3/11) S-REC TO CONCUR IN H
AMEND; S-CONCURRED IN H AMEND.
S. 188 PEACE WARRENT REPEAL. S-PASSED 2ND READING.
S. 236 SUSPENSION, 10 MPH EXCESS SPEED. (3/11) H-REC FROM SENATE; H-REF
TO COM ON JUDIC 1.
S. 239 COUNTY SOCIAL SERVICES BOARD PAY. H-REC FROM SENATE; H-REF
TO COM ON LOC GOVT.
S. 242 MEDICAL REVIEW NOTICE: DRIVER LIC. S-PASSED 2ND & 3RD READING.
S. 250 RENEW OFFICER'S AUTO INSURANCE. S-PASSED 2ND READING.
S. 262 (J.RES.) WELCOMING THE ORIGINAL 13. H-REC FROM SENATE; H-REF
TO COM ON RULES.

H. 11 SUSPENSION OF SCHOOL TERM. (3/04, 3/04) S-PASSED 2ND READING.
H. 16 SUSPENSION OF SCHOOL DAY. (3/04) S-PASSED 2ND & 3RD READING.
H. 93 SECURE LOADS ON TRUCKS. (3/09, 3/11) S-REC FROM HOUSE; S-REF
TO COM ON HY SAFETY.
H. 103 TAX REFUND-SEWERAGE DISTRICTS. (3/11) H-REC TO CONCUR IN S
AMEND.
H. 170 RIGHT OF WITHDRAWAL-STORED WATER. H-POSTPONED TO MAR 16.
H. 187 REALTY BROKERS AND SALESMEN. (2/26) S-PASSED 3RD READING.
H. 237 LEGISLATIVE ELECTRONIC VOTING. H-POSTPONED TO MAR 15.
H. 256 VALIDATE CONTRACTS-6% INTEREST. S-PASSED 3RD READING.
H. 295 PROBATIONARY DRIVERS' LICENSES. H-POSTPONED TO MAR 15.
H. 304 TUESDAY PRIMARIES. H-POSTPONED TO MAR 16.
H. 334 VALIDATE MARITAL CONTRACTS. (3/12) S-COM AMEND ADOPTED;
S-PASSED 2ND READING.
H. 369 MEDICAL CARE HOSPITAL GRANTS. H-POSTPONED TO MAR 15.
H. 408 HEALTH BD. ALTERNATIVES. H-POSTPONED TO MAR 16.

LOCAL BILLS

- S. 132 (HAYWOOD) COUNTY MANAGER'S POWERS. (3/02) H-REPTD FAV.

H. 146 (CUMBERLAND) REPEALING ANNEXATION EXEMPTION. H-POSTPONED TO
MAR 17.

H. 227 (MARTIN) JAMESVILLE AD VALOREM TAX. H-REPTD FAV.
H. 233 (CARTERET) MOREHEAD CITY STREET ASSESSMENTS. S-REPTD FAV.
H. 346 (ORANGE) CHAPEL HILL VOTE REGISTER.(3/12) H-COM AMEND
ADOPTED; H-PASSED 2ND READING.
H. 358 (CHEROKEE) MURPHY TOWN COUNCIL. H-REPTD FAV AS AMENDED.
H. 364 (MECKLENBURG) CHARLOTTE MAYOR'S VOTE. H-REPTD FAV AS AMENDED.
H. 367 (YADKIN) COUNTY PROPERTY SALE. H-REPTD FAV.
H. 376 (BERTIE) WINDSOR SPECIAL ASSESSMENTS. H-REPTD FAV.

Next Sessions of Senate:

10:00 a.m., Saturday, March 13, 1971, for the consideration of
local bills only.
8:00 p.m., Monday , March 15, 1971.

Next Sessions of House:

9:30 a.m., Saturday, March 13, 1971, for the consideration of
local bills only.
8:00 p.m., Monday, March 15, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 44

-317-

MONDAY, MARCH 15, 1971

Note: The Senate convened at 9:30 a.m. and the House at 10:00 a.m. on Saturday, March 13, 1971, for consideration of local bills only. No bills were introduced and no calendar action was taken in either Chamber.

PUBLIC BILLS INTRODUCED

SENATE

S 277 Legis. retirement contributions (Iden. H 424)
Introducers: Milgrom and others

GS 120
Sent to POLICIES

"To provide for contributions by members of the General Assembly to the Legislative Retirement Fund." Identical with H 424, digested in Bulletin No. 42, p. 304.

S 278 Funding judicial retirement
Introducers: Milgrom and others

GS 7A
Sent to COURTS

"To provide for contributions by certain members of the judiciary to a Judiciary Retirement Fund." Adds new Art. 6A in GS Ch. 7A creating "Judicial Retirement Fund," monies for same to come from deductions from salaries of Justices of Supreme Court and judges of Court of Appeals and superior courts at same rate provided by GS 135-8 for members of Teachers' and State Employees' Retirement System Act. Provides Fund to be administered by Director of Administrative Office of Courts with same powers of management and investment of monies as is vested by GS Ch. 135 in Bd. of Trustees of Teachers' and State Employees' Retirement System. Makes judiciary's contributions to Fund subject to provisions of GS Ch. 135 as to refunds and return of contributions. Provides upon retirement of covered member of judiciary monies credited to his account in Fund to be expended in defraying expense in paying retirement allowance of GS Ch. 7A, Art. 6 or Art. 8, and that no service credit to be allowed under said Art. 6 or Art. 8 as to period in which justice or judge made contributions to Fund and received refund therefor. Effective Sept. 1, 1971, but not to apply to incumbent justice or judge in office on Sept. 1, 1971, for duration of his current term.

S 279 Workmen's comp.-prisoners
Introducers: Staton and Folger

GS 97
Sent to MFG LABR

"To amend G.S. 97-13(c) relating to workmen's compensation benefits for prisoners." Rewrites GS 97-13(c) which deals with application of the Workmen's Compensation Act to prisoners, to provide that dependents or next of kin may receive benefits for accidental death of prisoner arising out of course of employment to which he was assigned (now, no death benefits specified except for burial expenses), the compensation to be, like that for injury, limited to



\$20 per week (now, \$10 per week) and to be measured from date prisoner was to be discharged. Removes provisions that no award to be made for facial disfigurement and that no award to be made for injury without apparent or outward physical evidence of injury unless medical opinion and supporting testimony establish that injury arose from course of employment. Removes special provision of subsection dealing with claims by prisoners discharged prior to Mar. 15, 1941.

S 280 Workmen's comp.-radiation workers GS 97
Introducers: Staton and Folger Sent to MFG LABR

"Relating to coverage of radiation workers by the Workmen's Compensation Act." Amends GS 97-2(1) and GS 97-13(b) so that establishments employing one or more persons in activities involving the use or presence of ionizing radiation are covered by the Workmen's Compensation Act and not excluded by the fact that the establishment has less than five employees. Effective July 1, 1971, applying only to cases originating on or after that date.

S 281 Workmen's comp.-total disability GS 97
Introducers: Staton and Folger Sent to MFG LABR

"To amend G.S. 97-29 relating to compensation for total disability." Rewrites GS 97-29 to include as cases of total disability resulting in paralysis those in which total and permanent disability results from loss of both hands, or both arms, or both feet, or both legs, or both eyes, or any two thereof. Effective July 1, 1971, and applies only to cases originating on and after that date.

S 283 Gross receipts tax deduction GS 20
Introducer: Kirby Sent to FINANCE

"To amend G.S. 20-89 by rewriting to provide for the deduction of demurrage revenue from the gross receipts tax." Amends GS 20-89 (method of computing gross revenue of common carriers of passengers and property) to except from gross receipts tax demurrage revenue and COD fees (now exempts only transportation of US mail or other US government service). Requires carrier to sub-divide income accounts to clearly reflect separate accounting and exempted items as condition for allowance of deductions for exemptions. Effective first day of month following ratification.

HOUSE

H 440 (Joint Resolution) Memorializing Roger C. Kiser MISC RES
Introducers: Odom and others Passed three readings
and sent to Senate

"Honoring the life and memory of Roger C. Kiser, former legislator from Scotland County." As title indicates.

H 442 Working prisoners repealer GS 148
Introducer: Twiggs Sent to CORRECTN

"To repeal G.S. 148-26(b) relating to the number of male prisoners to be kept available for work on the public roads." As title indicates, repeals subsection which requires that as many of male inmates of State prison system who are fit and available and can be used be employed in maintenance and construction of public roads, the number to be kept available to be agreed upon by the heads of highway and prison systems. Effective July 1, 1973.

H 444 Driver improvement clinic
Introducer: J. Johnson

GS 20
Sent to HY SAFTY

"To amend G.S. 20-16(c) to allow licensees to attend driver improvement clinics every ten years to reduce the number of points assessed against their driving record." Amends sixth para. of GS 20-16(c) so as to continue to allow Dept. of Motor Vehicles to deduct three points from licensee's conviction record if licensee attends driver improvement clinics, but restricts said deduction so that it may be made only once every ten years. (Now, only one such deduction on behalf of any licensee).

LOCAL BILLS INTRODUCED

SENATE

S 282 ABC election, Newton Grove
Introducer: Warren

SAMPSON
Sent to ABC

"To authorize a referendum in the Town of Newton Grove on alcoholic beverage control stores." Provides for ABC election in Newton Grove upon motion of Town governing body or upon petition by 15% of qualified voters of Town. Sets out procedures for conduct of special election and for creation of Newton Grove ABC Board should question receive favorable vote, said Board to have duties and powers of GS 18-45 and to be subject to powers of State Board of Alcoholic Control as granted by GS 18-39 except that GS 18-39(10) and GS 18-45(15) shall not apply to Town's Board. Provides net annual revenue to be paid to Town of Newton Grove, of which 5%-10% to be devoted to enforcement of alcoholic beverage control laws with remainder usable for any authorized Town purpose or function. Adds "Sampson" to list of counties under SL 1969 Ch. 617 Sec. 3 (transporting more than one gallon liquor with proper permit).

HOUSE

H 441 Incorporating Polkville
Introducer: Falls

CLEVELAND
Sent to LOC GOVT

"To incorporate the Town of Polkville, in Cleveland County, subject to an election." Provides for special election to be conducted by Cleveland County Bd. of Election on Tues., June 29, 1971 on question of incorporation of Polkville, after new registration, among qualified voters of proposed corporate limits of Town (circular area within 3/4 mile radius of intersection of NC Hy's 226 and 182). Provides for election procedure and for details of town charter, should election results be favorable. Charter includes provisions concerning corporate powers, mayor and bd. of comm'rs (5-member bd. elected at large for 4-yr. staggered terms, who choose mayor from bd.), election procedures, town attorney, administrative officers and employees, claims against town, and ordinance powers.

H 443 County comm'r nominations
Introducer: Haynes

YADKIN
Sent to LOC GOVT

"To amend Chapter 967 Session Laws of 1969, to provide that county commissioners shall be nominated by the voters of the districts." As title indicates (now, provides for nomination and election by voters of entire county of persons residing in specified districts; only change proposed is in nomination provision).

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

None

HOUSE BILLS

- H 295 Probationary drivers' licenses (digested in Bulletin No. 31, p. 212)
Amendment adopted in House 3/15/71 substitutes parent or person acting as parent in lieu of provisional licensee as person authorized to request hearing to obtain probationary license after six months following suspension of license of provisional licensee for conviction of fourth moving violation within one year.
- H 358 Murphy Town Council (digested in Bulletin No. 36, p. 256)
Amendment adopted in House 3/15/71 makes act effective on July 1, 1971, rather than on ratification.
- H 364 Charlotte Mayor's vote (digested in Bulletin No. 37, p. 264)
Technical amendment adopted in House 3/15/71.

SENATE AND HOUSE

CALENDAR ACTION

MAR.15,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- #S. 37 (J.RES.) CRIMINAL CODE COMMISSION.(2/02, 3/10) RATIFIED RES. 24.
#S. 48 GEN. STAT. COMM. VACANCIES. RATIFIED CH. 76.
#S. 54 (J.RES.) HONORING GUILFORD. RATIFIED RES. 26.
#S. 81 LOCAL GOVERNMENT SALES TAX ACT.(2/19, 2/23, 3/02, 3/03) RATIFIED CH. 77.
S. 105 FARM TRAILERS-SOYBEANS & CORN. H-PASSED 2ND READING.
#S. 118 APPOINTMENT, TERM OF MAGISTRATES.(3/11) RATIFIED CH. 84.
S. 173 BANKS 5-DAY WEEK.(3/11) H-REC FROM SENATE; H-REF TO COM ON BANKS.
S. 188 PEACE WARRENT REPEAL. S-PLACED ON CAL. MAR. 16.
S. 242 MEDICAL REVIEW NOTICE:DRIVER LIC. H-REC FROM SENATE; H-REF TO COM ON HY SAFTY.
S. 250 ALTERNATIVE REDEVELOPMENT PLAN. S-PASSED 3RD READING.
#S. 257 (J.RES.) HONORING GEN. TOLSON. RATIFIED RES. 25.

H. 11 SUSPENSION OF SCHOOL TERM.(3/04, 3/04) S-PLACED ON CAL. MAR. 16.
#H. 16 SUSPENSION OF SCHOOL DAY.(3/04) RATIFIED CH. 85.
#H. 25 RESCUE SQUAD SAFE DRIVER.(3/04) RATIFIED CH. 78.
H. 103 TAX REFUND-SEWERAGE DISTRICTS.(3/11) H-CONCURRED IN S AMEND.
#H. 141 70 MPH MAXIMUM-CERTAIN HIGHWAYS. RATIFIED CH. 79.
#H. 183 LAW OFFICERS' RETIREMENT FUND. RATIFIED CH. 80.
#H. 187 REALTY BROKERS AND SALESMEN.(2/26) RATIFIED CH. 86.
H. 237 LEGISLATIVE ELECTRONIC VOTING. H-PASSED 2ND & 3RD READING.
#H. 256 VALIDATE CONTRACTS-6% INTEREST. RATIFIED CH. 87.
H. 295 PROBATIONARY DRIVERS' LICENSES.(3/15) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
H. 334 VALIDATE MARITAL CONTRACTS.(3/15) S-PASSED 3RD READING.
H. 369 MEDICAL CARE HOSPITAL GRANTS. H-PASSED 2ND & 3RD READING.
H. 440 (J.RES.) MEMORIALIZING ROGER C. KISER. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 132 (HAYWOOD) COUNTY MANAGER'S POWERS.(3/02) H-PASSED 2ND & 3RD READING.
S. 226 (FORSYTH) WINSTON-SALEM BY-PRODUCTS. S-REPTD FAV.
S. 231 (STANLY) ALBEMARLE ASSESSMENTS. S-REPTD FAV.

- S. 237 (DAVIDSON) FIREMEN RETIREMENT-LEXINGTON. S-REPTD FAV AS AMENDED.
- S. 254 (PAMLICO) EMINENT DOMAIN-LANDFILLS. S-REPTD FAV.
- H. 209 (MECKLENBURG) CHARLOTTE COLISEUM AUTHORITY. S-REPTD FAV.
- #H. 218 (DAVIDSON) LEXINGTON ELECTIONS.(2/22) RATIFIED CH. 81.
- H. 227 (MARTIN) JAMESVILLE AD VALOREM TAX. H-PASSED 2ND READING.
- H. 233 (CARTERET) MOREHEAD CITY STREET ASSESSMENTS. S-PASSED 2ND READING.
- H. 277 (CRAVEN) HAVELOCK COMM'RS ELECTIONS.(2/26) S-REPTD FAV.
- H. 281 (FORSYTH) WINSTON-SALEM STREET ENCROACHMENT. S-REPTD FAV.
- H. 292 (COLUMBUS) WHITEVILLE BOARD OF EDUCATION. S-REPTD FAV.
- H. 307 (NEW HANOVER) PLUMBING INSPECTOR REPEAL. S-REPTD FAV.
- H. 309 (MECKLENBURG) MINT HILL CONSOL. VOTE.(3/05) S-REPTD FAV.
- H. 310 (MECKLENBURG) CHARLOTTE BOARD MEMBER RESIDENCE. S-REPTD FAV.
- H. 312 (PITT) AYDEN LIBRARY,RECREATION FUNDS. S-REPTD FAV.
- H. 319 (HARNETT) DUNN ELECTIONS.(3/08) S-REPTD FAV AS AMENDED.
- H. 346 (ORANGE) CHAPEL HILL VOTE REGISTER.(3/12) H-PASSED 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 358 (CHEROKEE) MURPHY TOWN COUNCIL.(3/15) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 364 (MECKLENBURG) CHARLOTTE MAYOR'S VOTE.(3/15) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 367 (YADKIN) COUNTY PROPERTY SALE. H-PASSED 2ND & 3RD READING.
- H. 376 (BERTIE) WINDSOR SPECIAL ASSESSMENTS. H-PASSED 2ND READING.
- #H. 398 (BRUNSWICK) ELECTION-MAYOR OF LONG BEACH. RATIFIED CH. 82.
- #H. 411 (ROBESON) MAXTON SCHOOL BOARD ELECTION-2. RATIFIED CH. 83.

Next Sessions of Senate and House: 12 noon, Tuesday, March 16, 1971.

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DAILY BULLETIN

The General Assembly of North Carolina

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BULLETIN NO. 45

-323-

TUESDAY, MARCH 16, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 284 (Joint Resolution) Honoring City of Shelby
(Iden. H. 446)
Introducers: Harris and Rauch

MISC RES
Sent to RULES

"Honoring and commending the citizens of the City of Shelby, North Carolina, for their achievement in being named a 1970 All-American city." As title indicates.

S 285 Provisional driver licenses
Introducer: Gudger

GS 20
Sent to HY SAFTY

"To amend G.S. 20-32 and 20-13 pertaining to operation of vehicles by unlicensed minors and mandatory revocation of license of provisional licensees." Makes definition of minor for purposes of GS 20-32 (unlawful to cause or permit minor to drive without license) any minor under 18 (now, any minor over 16 and under 18), also making section inapplicable when minor has learner's permit as authorized by GS 20-7(1)(m). Amends GS 20-13(a) to add "improper equipment" to list of violations not to be considered moving violations for which mandatory suspension of provisional licensee's license is required.

S 286 Photographing defendants
Introducer: McGeachy

GS 114
Sent to JUDIC 2

"To amend G.S. 114-19 relating to taking photographs of persons charged with criminal offenses." Makes following changes in GS 114-19: (1) Authorizes police chiefs and sheriffs to photograph and fingerprint (a) any person charged with felony or misdemeanor (now, only felony), or (b) any person whom chief or sheriff has reasonable grounds to believe is a fugitive from justice or is wanted by FBI, SBI, or other law enforcement office (now, prohibits photographing a person charged with misdemeanor unless he is a fugitive from justice or has stolen property in possession or officer has reasonable grounds to believe he is wanted by FBI, etc.). (2) Adds provision that, for purposes of this section, the following shall not be considered a "misdemeanor": violations of local traffic regulations or ordinances, and violations of GS Ch. 20 (Motor Vehicles) except violations of specified sections of the Anti-Theft Provisions.

S 287 Drug vehicle forfeitures
Introducer: McGeachy

GS 90
Sent to JUDIC 2

"To amend G.S. 90-111.2 to clarify the seizure and forfeiture provisions for vehicles, vessels or aircraft used to unlawfully conceal, convey or transport narcotic drugs." Adds provision to subsection (b) of GS 90-111.2 (seizure and forfeiture of



vehicles, vessels and aircraft used for unlawful concealment or transportation of narcotic drugs) to make clear that subsection applies whether vehicle, vessel or aircraft modified from original manufactured condition or not. Adds new subsection (c) giving authority to SBI to sell as surplus property vehicles, vessels or aircraft transferred to it under (b), if of no further use, the proceeds of the sale (minus the cost) to go to school fund of county in which vehicle, vessel or aircraft was seized.

S 288 Cosmetic Board changes
Introducer: McGeachy

GS 88
Sent to EDUCATN

"To amend the Cosmetic Act statutes regarding classes required before a certificate of registration as a registered apprentice shall be issued, and to increase the State Board of Cosmetic Art Examiners to five persons." Amends GS 88-10(3) to require at least 1500 hours (now 1200) in cosmetic art school classes for certificate of registration as apprentice in the practice of cosmetic art. Rewrites GS 88-13 concerning State Board of Cosmetic Art Examiners, retaining the appointment of three experienced cosmetologists by the Governor, reducing their required prior experience to three years (now five), but now requiring that those appointees be registered as well as experienced. Adds to Board, also to be appointed by Governor, two private beauty school owners with current cosmetology licenses who have owned or operated school for at least three years preceding appointment, those two new members to perform all duties of Board except examination of students for licenses, that duty to be performed exclusively by three licensed cosmetologists members.

HOUSE

H 445 (Joint Resolution) Honoring Gerrit Boerema family MISC RES
Introducers: Roberson and Burrus Passed three readings and sent to Senate

"Honoring the family of Gerrit Boerema, Farmers Home Administration's farm family of the year in America." As title indicates.

H 446 (Joint Resolution) Honoring City of Shelby MISC RES
(Iden. S 284) Passed three readings and sent to Senate
Introducers: Falls and others

"Honoring and commending the citizens of the City of Shelby, North Carolina, for their achievement in being named a 1970 All-America city." As title indicates.

H 447 Ambulance attendants GS 130
Introducers: Chase and Whichard Sent to HEALTH

"Relating to the presence of an ambulance attendant in the patient compartment of an ambulance." Amends subsection (a) of GS 130-233 to require that certified attendant now required in ambulance when operated on emergency mission actually be located in patient compartment of ambulance. Deletes sentence providing that section is not to be construed to require person other than driver to be aboard if driver is certified attendant. Adds provision authorizing State Board of Health, with approval of Advisory Committee on Ambulance Service, to adopt regulations granting exemptions to attendant requirement when in the public interest. Effective July 1, 1971.

H 448 Vital statistics changes
Introducers: Chase and Whichard

GS 101, 130
Sent to HEALTH

"To amend Chapters 101 and 130 of the General Statutes with regard to vital statistics." Changes reference in GS 101-2 to GS 130-60 instead of to GS 130-64.1 (repealed in 1969). Amends GS 101-5 to require that forms provided by State Registrar of Vital Statistics be used by clerk of superior court in forwarding name-change order to Registrar, and to require that if person changing name was born in another state the Registrar is to forward the notice of change to state of birth. Adds new sentence to GS 130-37, directing the Registrar to conduct studies and research in improvement of registration practices and handling of vital statistics. Amends GS 130-45(b) to provide that no cremation of dead body shall take place until medical examiner has made and certified his inquiry (now, that requirement applies only to cremations in cases of death without medical attendance), but that requirement is not to apply to deaths occurring less than 24 hours after birth unless apparently by criminal act or under suspicious circumstances. Amends GS 130-62 to provide that clerk's notice to Registrar of entry of judgment of paternity of illegitimate child is to be on form provided by Registrar (now, no reference to form). Corrects reference made in GS 130-69(b)(3), to make it read "GS 130-60" rather than the inapplicable "GS 130-59". Adds new sentence to GS 130-202.1(c) to exempt deaths occurring less than 24 hours after birth from that section's requirement of county medical examiner's certification of inquiry before burial-transit permit for cremation of body is issued or body is cremated, unless death was apparently by criminal act or suicide or otherwise suspicious. Repeals subsection (b) of GS 130-63, which requires State Registrar to prepare copy of each original certificate of birth, death, and fetal death received from local registrars (except in case of child born out of wedlock when certificate filed in county other than one of residence) and forward copy within 90 days to local health dept and register of deeds of county of residence.

H 449 School bus stop changes
Introducer: Wynne

GS 20
Sent to HY SAFTY

"To amend G.S. 20-217 to clarify the circumstances under which it is illegal to pass a stopped school bus." Amends GS 20-217 to provide motorist must stop for school, church and Sunday school buses when they are stopped and displaying mechanical stop signals, and must remain stopped until bus moves on (now, requires stop when "bus is stopped and engaged in receiving or discharging passengers" or "at any time while such bus is displaying its mechanical stop signal").

H 451 (Joint Resolution) Duke, UNC and USC B-ball
plaudits
Introducer: Jones

MISC RES
Passed three readings and
sent to Senate

"Congratulating the basketball teams of Duke, University of North Carolina, and University of South Carolina." As title indicates.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 450 Chapel Hill parks and recreation
Introducer: C. Smith

ORANGE
Sent to LOC GOVT

"To authorize the Town of Chapel Hill to provide for the dedication or reservation of parks, recreational areas or open space within the Town of Chapel Hill and areas subject to its subdivision control." Authorizes bd. of aldermen to provide for dedication or reservation of parks, recreational areas or open space within the Town of Chapel Hill and any areas subject to its subdivision control.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 237 Firemen retirement-Lexington (digested in Bulletin No. 39, p. 278)

Amendment adopted in Senate 3/16/71 makes technical changes and limits to \$300 amount of supplemental retirement benefits permitted any person in any calendar year.

HOUSE BILLS

H 99 Mixed drinks on-premises (digested in Bulletin No. 12, p. 75)

Amendments adopted in House 3/16/71 as follow: 1. Provides establishment eligible for mixed drink license must have minimum seating capacity of 36 (was 50). 2. Prohibits serving alcoholic beverages to any intoxicated person (new provision). 3. Provides no election on sale of mixed beverages except in counties, cities or towns with ABC stores (clarifying amendment). 4. Limits hours for serving mixed beverages to 5:00-12:00 p.m. Mon.-Fri. and 12:00 noon-12:00 midnight Sat. (was 12:00 noon-12:00 midnight 7 days per week). 5. Specifies standards for acquisition and retention of mixed drink license to be as strict as for on-premises beer or malt beverage permit (new provision). 6. Provides act effective July 1, 1971 (was ratification date). 7. Requires mixed drink licensee pay 3% sales and use tax on sales of mixed beverages at time spirituous liquors purchased at ABC store (new provision).

H 319 Dunn elections (digested in Bulletin No. 32, p. 224; previous amendment digested in Bulletin No. 39, p. 279).

Technical amendment adopted in Senate 3/16/71.

SENATE AND HOUSE

CALENDAR ACTION

MAR.16,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 105 FARM TRAILERS-SOYBEANS & CORN. H-POSTPONED TO MAR 17.
S. 113 RIGHT OF WITHDRAWAL-STORED WATER. H-PLACED ON CAL FOR MAR 19.
#S. 188 PEACE WARRENT REPEAL. S-FAILED 3RD READING.
S. 202 TRUCKS-MUD FLAPS. S-REPTD FAV AS AMENDED.
S. 247 POWER OF ATTORNEY, VALIDITY. S-REPTD FAV AS AMENDED.
S. 250 ALTERNATIVE REDEVELOPMENT PLAN. H-REC FROM SENATE; H-REF TO COM ON JUDIC 1.

H. 2 18 YEAR OLD VOTE-1.(3/16) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
#H. 6 18 YEAR OLD VOTE-2. H-REPTD UNFAV.
#H. 9 18 YEAR OLD VOTE-2. H-REPTD UNFAV.
H. 11 SUSPENSION OF SCHOOL TERM.(3/04, 3/04) S-PASSED 3RD READING.
H. 78 WORTHLESS CHECK LAW.(3/09) H-RE-REF COM ON JUDIC 1.
H. 92 DIAGNOSTIC LAB-COUNTY FUNDS. S-PASSED 2ND & 3RD READING.
#H. 99 MIXED DRINKS ON PREMISES.(3/16, 3/16) H-COM AMENDS ADOPTED; H-FLOOR AMENDS ADOPTED; H-FLOOR AMENDS FAILED; H-FAILED 2ND READING.
#H. 103 TAX REFUND-SEWERAGE DISTRICTS.(3/11) RATIFIED CH. 89.
H. 134 MOTOR VEHICLES ON COUNTY PROPERTY.(2/23) S-REPTD FAV AS AMENDED.
H. 170 RIGHT OF WITHDRAWAL-STORED WATER. H-PLACED ON CAL FOR MAR 19.
H. 188 BLANK AUTO TITLES. S-REPTD FAV.
H. 210 SLOW VEHICLE REFLECTORS. H-REPTD FAV AS AMENDED.
H. 237 LEGISLATIVE ELECTRONIC VOTING. S-REC FROM HOUSE; S-REF TO COM ON RULES.
H. 334 VALIDATE MARITAL CONTRACTS.(3/12) H-REC TO CONCUR IN S AMEND; H-PLACED ON CAL FOR MAR 17.
H. 361 ANTIQUE, HISTORIC WEAPONS. H-REPTD FAV.
H. 369 MEDICAL CARE HOSPITAL GRANTS. S-REC FROM HOUSE; S-REF TO COM ON PUB HLTH.
H. 370 REALTY BROKERS-UNEMPLOYMENT INS.. H-REPTD FAV.
H. 417 GS 1A,1B REPLACEMENT VOLUMES. H-REPTD FAV.
#H. 440 (J.RES.) MEMORIALIZING ROGER C. KISER. RATIFIED RES. 27.
H. 445 (J.RES.) HONORING GERRIT BOEREMA FAMILY. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.
H. 446 (J.RES.) HONORING CITY OF SHELBY. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.

H. 451 (J.RES.) DUKE,UNC,USC B-BALL PLAUDITS. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.

LOCAL BILLS

#S. 132 (HAYWOOD) COUNTY MANAGER'S POWERS.(3/02) RATIFIED CH. 88.

S. 226 (FORSYTH) WINSTON-SALEM BY-PRODUCTS. S-PASSED 2ND & 3RD READING.

S. 231 (STANLY) ALBEMARLE ASSESSMENTS. S-PASSED 2ND & 3RD READING.

S. 237 (DAVIDSON) FIREMEN RETIREMENT-LEXINGTON.(3/16) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.

S. 254 (PAMLICO) EMINENT DOMAIN-LANDFILLS. S-PASSED 2ND & 3RD READING.

H. 209 (MECKLENBURG) CHARLOTTE COLISEUM AUTHORITY. S-PASSED 2ND & 3RD READING.

H. 227 (MARTIN) JAMESVILLE AD VALOREM TAX. H-PASSED 3RD READING.

H. 233 (CARTERET) MOREHEAD CITY STREET ASSESSMENTS. S-PASSED 3RD READING.

H. 277 (CRAVEN) HAVELOCK COMM'RS ELECTIONS.(2/26) S-PASSED 2ND & 3RD READING.

H. 281 (FORSYTH) WINSTON-SALEM STREET ENCROACHMENT. S-PASSED 2ND READING.

H. 307 (NEW HANOVER) PLUMBING INSPECTOR REPEAL. S-PASSED 2ND & 3RD READING.

H. 309 (MECKLENBURG) MINT HILL CONSOL. VOTE.(3/05) S-PASSED 2ND & 3RD READING.

H. 310 (MECKLENBURG) CHARLOTTE BOARD MEMBER RESIDENCE. S-PASSED 2ND & 3RD READING.

H. 312 (PITT) AYDEN LIBRARY,RECREATION FUNDS. S-PASSED 2ND & 3RD READING.

H. 319 (HARNETT) DUNN ELECTIONS.(3/08, 3/16) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.

H. 346 (ORANGE) CHAPEL HILL VOTE REGISTER.(3/12) S-REPTD FAV.

H. 354 (WASHINGTON) PISTOL PERMITS. H-REPTD FAV.

H. 367 (YADKIN) COUNTY PROPERTY SALE. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

H. 376 (BERTIE) WINDSOR SPECIAL ASSESSMENTS. H-PASSED 3RD READING.

Next Sessions of Senate and House: 12 noon, Wednesday, March 17, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 46

-329-

WEDNESDAY, MARCH 17, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 289 Regulating Kerr Lake use
Introducer: Church

GS 143
Sent to CONS & DEV

"Authorizing the Kerr Lake Development Commission to enact regulations for the use of the John H. Kerr Reservoir and to provide penalties for the violation thereof." Adds new para. to GS 143-286 authorizing Kerr Lake Development Comm'n to make reasonable rules and regulations for public use of property under its jurisdiction; rules to have force and effect of law after being posted on reservoir and filed with Sec. of State; violation to be misdemeanor with fine of not more than \$50 or imprisonment of not more than 30 days, or both.

S 290 Tax exempt military retired pay-3
(Iden. H 186, S 127)
Introducer: McGeachy

GS 105
Sent to FINANCE

"To amend G.S. 105-141(b) to exempt from taxation certain retirement benefits received by retired Armed Forces personnel." Identical with H 186 and with S 127, digested in Bulletin No. 22, p. 143.

HOUSE

H 455 Employing minors-physical exam
Introducer: Messer

GS 110
Sent to MFG LABR

"To repeal G.S. 110-12(3) requiring a doctor's certificate for an employed minor." Repeals subsection (3) of GS 110-12 which requires statement of physical fitness, signed by physician after examination, before employment certificate may be issued for minor.

H 457 Aid-to-blind administration
Introducer: McFadyen

GS 111
Sent to BLIND

"To amend Chapter 111 of the General Statutes to provide that the respective boards of county commissioners may authorize the county director of social services to perform acts and functions, the performance of which is delegated to the board of county commissioners by the provisions of Chapter 111." Adds new GS 111-35 authorizing bds. of co. comm'rs to delegate to co. dirs. of social services powers granted them under GS Ch. 111 (aid to blind). Requires dir. to report acts to comm'rs for review, or for alternative action or disposition. Limits comm'rs from taking action prejudicial to blind without first giving notice and opportunity to be heard to affected persons. Effective July 1, 1971.



H 458 Aid-to-blind, technical changes
Introducer: McFadyen

GS 111
Sent to BLIND

"To amend Chapter 111 of the General Statutes to provide for the deletion of references to special titles of the Social Security Act." Amends first para. of GS 111-24 and 111-25 to correct obsolete references to the federal agency which administers the Social Security Act. Effective July 1, 1971.

H 459 Aid-to-blind, eligibility
Introducer: McFadyen

GS 111
Sent to BLIND

"To amend Chapter 111 of the General Statutes to provide for the deletion of the requirement that in order to be eligible for aid to the blind an applicant may not be publicly soliciting alms in any part of the State." Amends GS 111-15 to delete provision denying aid to blind to persons who are soliciting alms in NC.

H 460 Aid-to-blind, intercounty transfer
Introducer: McFadyen

GS 111
Sent to BLIND

"To amend Chapter 111 of the General Statutes by deleting the first paragraph of G.S. 111-19 and changing the title to read 'Inter-County Transfer of Recipients' and rewriting the procedure for continuing aid to the blind payments to recipients who remove from one county within the State to another." Repeals first para. of GS 111-19 (providing for payments by NC Comm'n for Blind to persons who are NC residents but "have no legal settlement in any one of the counties", payments not be chargeable to funds raised by counties). Rewrites second para. of GS 111-19 to provide that recipient of aid-to-blind who moves from one NC county to another is entitled to receive aid for 90-day period from county of former residence and thereafter from county of new residence. Directs bd. of county comm'rs of recipient's former and new residence to make "appropriate" grant, subject to rules of Comm'n for Blind, and to transfer recipient's records from county of former residence to county of new residence. Provides that recipient entitled to payments from county of new residence only if he has continuously maintained residence therein for 90 days. Effective July 1, 1971.

H 461 Medical chest in mfg. plant
Introducer: Messer

GS 95
Sent to MFG LABR

"To repeal an obsolete provision requiring a medical chest in a manufacturing plant." Repeals GS 95-30 which requires operator of factory or shop using machinery and employing over 25 persons (except those using machinery for elevation or for heating hoisting apparatus) to maintain a medical chest containing two porcelain pans, two tourniquets, gauze, absorbent cotton, adhesive plasters, bandages, antiseptic soap, one bottle of carbolic acid with directions on bottle, one bottle antiseptic tablets, one pair scissors and one folding stretcher (so long as total cost does not exceed \$10), it being a misdemeanor (\$5 to \$25 fine for each week violation continues) not to maintain the chest.

H 463 Immunization of children
Introducer: Chase and Whichard

GS 130
Sent to HEALTH

"Relating to immunization of children." Rewrites Arts. 9 (immunization) and 9A (poliomyelitis) of GS Ch. 130 as Art. 9, GS Ch. 130. Requires every child to be immunized against designated communicable diseases at specified ages (adds to diseases now specified rubeola-measles). Provides for doses and preparation of vaccines to meet certain standards. Requires parents (or persons acting as parents) to have child

vaccinated by doctor or free of charge by local health director if unable to pay doctor's charges (no substantial change). Requires NC Bd. of Health to furnish vaccines to local health directors; authorizes Bd. of Health to charge to cover cost of maintaining and distributing vaccines (no substantial change). Requires doctor to present certificate of vaccination to parents (or persons acting as parents). Prohibits parents (or persons acting as parents) presenting child for admission to any school without showing vaccination certificate or other evidence of vaccination. Provides for exemption from vaccination if immunization "is or may be detrimental to child's health" until such time as immunization no longer detrimental (no substantial change). Provides for exemption for parents (or persons acting as parents) if they are "bona fide members of a religious organization whose teachings are contrary to the practices" required by bill (no substantial change). Makes violation misdemeanor (\$50/30 days).

H 464 Income tax-student exemptions
Introducer: Short

GS 105
Sent to FINANCE

"To amend the Individual Income Tax Act to allow an additional six hundred dollar (\$600.00) exemption to a taxpayer who is a full-time student or to the spouse of a full-time student." Adds new subdivision (10) to GS 105-149(a) (list of income tax exemptions), allowing an additional exemption of \$600 to individual who is full-time student at accredited college or university or other institution of higher learning, full-time being defined as enrolled for full-time study on last day of income year or enrolled for full-time study for at least five months (not necessarily consecutive) during income year. Allows spouse of full-time student to claim this additional exemption if entitled to claim \$2,000 exemption under subdivision (2) of section and if student does not claim additional exemption in same year. Makes conforming change in subdivision (5). Effective for income years beginning Jan. 1, 1971.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 452 Spindale town limits
Introducer: Jones

RUTHERFORD
Sent to LOC GOVT

"Enlarging the corporate limits of the Town of Spindale in Rutherford County." Amends Sec. 2 of Charter of Spindale by rewriting description of town's boundaries. Provides for special election on new boundaries to be held in concurrence with 1971 regular municipal election, all persons residing within proposed limits being eligible to vote in special election, those in territory not now within town to constitute a separate precinct and have a special registration during period for 1971 regular municipal election registration. Requires majority in special election for new boundaries to take effect on Jan. 1, 1972.

H 453 County tax listing
Introducer: Culpepper

PASQUOTANK
Sent to LOC GOVT

"To amend Sections 105-306(26), 105-308, 105-309, and 105-310 of the General Statutes to authorize the Board of County Commissioners of Pasquotank County to prescribe regulations relating to the listing of property for taxation in Pasquotank County." Authorizes county comm'rs to prescribe regulations as to form of oath and its administration in listing property for taxation, and regulations for submitting tax lists by mail.

Provides in detail with correlation of such regulations, and their administration, with related General Statutes sections cited in title.

H 454 County tax valuation percent
Introducer: Culpepper

PASQUOTANK
Sent to LOC GOVT

"To authorize the Board of Commissioners of Pasquotank County to adopt a resolution authorizing the residents of Pasquotank County to accept as the ad valorem tax valuation of their household furnishings a certain percentage of the real property valuation of their residence." As title indicates.

H 456 Repeal county bondsmen law
Introducer: Green (by request)

BLADEN
Sent to LOC GOVT

"To repeal Chapter 601 of the 1949 Session Laws relating to regulation of professional bail bondsmen in Bladen County." Repeals SL 1949 Ch. 601 which regulates bondsmen in Bladen County, requiring annual license and authorizing tax to be fixed by county comm'rs, requiring \$5000 surety bond, setting maximum bond fees, restricting eligibility of attorneys and relatives for job, making violation of act misdemeanor, and requiring examination as to moral character for license.

H 462 Chapel Hill assessments
Introducer: C. Smith

ORANGE
Sent to LOC GOVT

"To amend the charter of the Town of Chapel Hill (Chapter 87, Session Laws of 1961), as amended, so as to authorize the improvement of streets and the assessment of the costs thereof without petition." Adds new Sec. 6.03 to town's charter, allowing bd. of aldermen, in certain circumstances, to order, without petition, improvements to designated types of unimproved streets, and to assess costs of improvements to abutting properties. Spells out notice and hearing procedures. Requires compliance with GS Ch. 160, Art. 9 (local improvements), except as to petition for improvements.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 170 Council of State minutes (digested in Bulletin No. 28, p. 191)

Committee Substitute adopted in House 3/17/71 includes in bill existing provision that Governor may convene Council for consultation whenever he deems it proper.

S 247 Power of attorney, validity (digested in Bulletin No. 40, p. 284)
Technical amendment adopted in Senate 3/17/71.

S 202 Trucks-mud flaps (digested in Bulletin No. 35, p. 224)

Amendments adopted in Senate 3/17/71 (a) making act applicable only to vehicles in excess of 40,000 lbs. (originally 4000 lbs.) and allowing 15 days after being charged with violation to bring vehicle into compliance with act without being criminally liable; and (b) making weight determined by "gross weight" rather than by "licensed gross weight."

HOUSE BILLS

H 2 18 year old vote-1 (digested in Bulletin No. 1, p. 4)

Committee substitute adopted in House 3/16/71 which makes clarifying changes and provides issue to be submitted to voters in November, 1971 (was November, 1972).

H 134 Motor vehicles on county property (digested in Bulletin No. 16, p. 103; Committee Substitute digested in Bulletin No. 30, p. 206)

Amendment to Committee Substitute adopted in Senate 3/17/71 provides that county property from which vehicle can be towed is to be designated by sign or otherwise.

SENATE AND HOUSE

CALENDAR ACTION

MAR.17,1971

- NOTES: 1. Includes floor action in both Senate and House.
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PUBLIC BILLS

- S. 170 COUNCIL OF STATE MINUTES.(3/17) H-REPTD FAV COM SUBSTITUTE;
H-COM SUBSTITUTE ADOPTED.
S. 202 TRUCKS-MUD FLAPS.(3/17) S-COM AMENDS ADOPTED; S-PLACED ON
CAL FOR MAR 22.
S. 247 POWER OF ATTORNEY, VALIDITY.(3/17) S-COM AMEND ADOPTED;
S-PASSED 2ND & 3RD READING.
S. 285 PROVISIONAL DRIVER LICENSES. S-REPTD FAV.

H. 2 18 YEAR OLD VOTE-1.(3/16) H-PASSED 2ND READING.
#H. 11 SUSPENSION OF SCHOOL TERM.(3/04, 3/04) RATIFIED CH. 90.
H. 33 NC ESTUARY STUDY. S-REPTD FAV.
H. 34 STATE AIRPORT AID.(2/24) S-REPTD FAV.
H. 73 EMERGENCY FINANCE ACT OF 1971. S-REPTD FAV AS AMENDED.
#H. 92 DIAGNOSTIC LAB-COUNTY FUNDS. RATIFIED CH. 91.
H. 115 GREAT SEAL OF THE STATE. H-REPTD FAV AS AMENDED.
H. 134 MOTOR VEHICLES ON COUNTY PROPERTY.(2/23, 3/17) S-COM AMEND
ADOPTED; S-PLACED ON CAL FOR MAR 18.
H. 188 BLANK AUTO TITLES. S-PASSED 2ND & 3RD READING.
H. 295 PROBATIONARY DRIVERS' LICENSES.(3/15) S-REC FROM HOUSE; S-REF
TO COM ON HY SAFTY.
H. 334 VALIDATE MARITAL CONTRACTS.(3/12) H-CONCURRED IN S AMEND.
#H. 445 (J.RES.) HONORING GERRIT BOEREMA FAMILY. RATIFIED RES. 28.
#H. 446 (J.RES.) HONORING CITY OF SHELBY. RATIFIED RES. 29.
#H. 451 (J.RES.) DUKE,UNC,USC B-BALL PLAUDITS. RATIFIED RES. 30.

LOCAL BILLS

- S. 226 (FORSYTH) WINSTON-SALEM BY-PRODUCTS. H-REC FROM SENATE; H-REF
TO COM ON LOC GOVT.
S. 231 (STANLY) ALBEMARLE ASSESSMENTS. H-REC FROM SENATE; H-REF TO
COM ON LOC GOVT.
S. 237 (DAVIDSON) FIREMEN RETIREMENT-LEXINGTON.(3/16) H-REC FROM
SENATE; H-REF TO COM ON LOC GOVT.
S. 254 (PAMLICO) EMINENT DOMAIN-LANDFILLS. H-REC FROM SENATE; H-REF
TO COM ON LOC GOVT.

H. 146 (CUMBERLAND) REPEALING ANNEXATION EXEMPTION. H-FLOOR AMENDS
FAILED; H-PASSED 2ND READING.
#H. 209 (MECKLENBURG) CHARLOTTE COLISEUM AUTHORITY. RATIFIED CH. 92.

- H. 227 (MARTIN) JAMESVILLE AD VALOREM TAX. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- #H. 233 (CARTERET) MOREHEAD CITY STREET ASSESSMENTS. RATIFIED CH. 93.
- H. 252 (BEAUFORT) BEAUFORT-EDUCATION BOARD. H-REPTD FAV.
- #H. 277 (CRAVEN) HAVELOCK COMM'RS ELECTIONS.(2/26) RATIFIED CH. 94.
- H. 281 (FORSYTH) WINSTON-SALEM STREET ENCROACHMENT. S-PASSED 3RD READING.
- #H. 307 (NEW HANOVER) PLUMBING INSPECTOR REPEAL. RATIFIED CH. 95.
- #H. 309 (MECKLENBURG) MINT HILL CONSOL. VOTE.(3/05) RATIFIED CH. 96.
- #H. 310 (MECKLENBURG) CHARLOTTE BOARD MEMBER RESIDENCE. RATIFIED CH. 97.
- #H. 312 (PITT) AYDEN LIBRARY, RECREATION FUNDS. RATIFIED CH. 98.
- H. 319 (HARNETT) DUNN ELECTIONS.(3/08, 3/16) H-REC TO CONCUR IN S AMEND.
- H. 346 (ORANGE) CHAPEL HILL VOTE REGISTER.(3/12) S-PASSED 2ND & 3RD READING.
- H. 358 (CHEROKEE) MURPHY TOWN COUNCIL.(3/15) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 364 (MECKLENBURG) CHARLOTTE MAYOR'S VOTE.(3/15) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 376 (BERTIE) WINDSOR SPECIAL ASSESSMENTS. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 385 (DARE) COUNTY SCHOOL BOARD. H-REPTD FAV.
- H. 412 (MOORE) PINEBLUFF PROPERTY CONVEYANCE. H-REPTD FAV.

Next Sessions of Senate and House: 12 noon, Thursday, March 18, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

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BULLETIN NO. 47

-337-

THURSDAY, MARCH 18, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 291 (Joint Resolution) Memorializing Porter
Introducer: Flaherty

MISC RES
Passed three readings and
sent to House

"Honoring the late C. W. Porter, outstanding citizen of Caldwell County." As title indicates.

S 292 Labeling food expiration date
Introducer: Combs

GS 66
Sent to AGRICULT

"To require that all foods sold for human consumption which are labeled to show the date of expiration shall be labeled so that the consumer can determine such date." Adds new Art. 3A to Ch. 66 requiring that all foods sold or offered after Jan. 1, 1972, for human consumption shall not bear any expiration date unless date is printed by day, month and year, prohibiting the use of codes for that purpose. Exempts food sold to restaurants or cafeterias or similar businesses. Instructs Consumer Protection Division of AG's office to enforce act, each day's violation of which is misdemeanor (\$50 fine).

S 293 Archaeological salvage-highways
Introducer: Henley

GS 121, 136
Sent to ROADS

"To amend Chapter 136 of the General Statutes to authorize the State Highway Commission to use highway funds for the salvaging of archaeological objects located within the right of way." Adds new GS 136-42.1 providing as title indicates; State Department of Archives to be consulted as to salvage work desired, to contract with Highway Department for necessary funds, to contract and arrange for performance of work, and to be responsible for preservation of historical objects. Renumbers GS 136-42 and 136-43 as GS 136-42.2 and 136-42.3, respectively, and makes technical changes in GS 121-2(8).

S 294 Income tax-student exemptions (Iden. H 464)
Introducer: Rauch

GS 105
Sent to FINANCE

"To amend the Individual Income Tax Act to allow an additional six hundred dollar (\$600.00) exemption to a taxpayer who is a full-time student or to the spouse of a full-time student." Identical with H 464, digested in Bulletin No. 46, p. 331.

S 295 Wildlife resources districts
Introducer: Burney

GS 143
Sent to WILDLIFE

"To amend G.S. 143-240 to remove New Hanover County from Wildlife Resources



Commission District Four and place New Hanover County in Wildlife Resources Commission District Two." As title indicates.

S 296 Filing State agency regulations (Iden. H 473) GS 143
Introducers: Kirby and Strickland Sent to JUDIC 2

"To establish a Code of State Administrative Regulations." Identical with H 473, digested in House section of today's Bulletin.

HOUSE

H 465 Notary public-fees, seals GS 10
Introducers: Love and Arnold Sent to JUDIC 1

"To amend Chapter 10 of the General Statutes to fix fees of notaries public and to standardize notarial stamps and seals." Rewrites second sentence of GS 10-8 (fees of notaries) to provide that charge of 75¢ may be made for any service permitted under GS 10-4 (powers of notaries) or otherwise authorized by law (now, 20¢ per 90 words for services where fee not otherwise fixed). Adds new subsection (4) to GS 10-9 setting out standards for notarial stamp or seal, requiring it to be round and not exceeding 1-5/8" in diameter, and to contain name of notary, county, the letters "N.C." and the words "Notary Public". Allows notary using non-conforming seal or stamp prior to effective date of act to continue using it.

H 466 Regional jail operations GS 153
Introducer: Culpepper Sent to LOC GOVT

"To amend Article 7, Chapter 153 of the General Statutes relating to local confinement facilities." Adds new GS 153-53.7(c) requiring governing bodies of two or more units of local government entering into agreement to construct, finance and operate regional confinement facility to levy sufficient taxes, or issue general obligation bonds or notes, to carry out terms of agreement, amount of contribution to be determined by relative populations of units. Adds new GS 153-53.7(d) providing jailer of regional facility to have authority of law enforcement officer for purpose of receiving and keeping prisoners, authorizing law enforcement officers of participating units to transport prisoners to and from jail, and requiring each unit to be responsible for transportation of its prisoners.

Adds new GS 153-53.8 requiring creation of jail comm'n for each regional facility, comm'n to be composed of two members from each unit or such number as units mutually agree (units may agree to different ratio of representation on comm'n). Provides members to serve two years, vacancies to be filled by unit making original appointment. Makes comm'n administrative authority of facility, adopting rules for operation not in conflict with law. Empowers comm'n to enter contracts for construction and operation of facilities within funds available; employ personnel; and accept and disburse funds. Provides fiscal procedures to be in accordance with laws applicable to participating units, and that comm'n prepare and distribute to units yearly financial statement. Provides for organization of comm'ns and compensation of comm'n members.

H 467 Jones County-hunting on highways
Introducers: Hardison and Lilley

GS 113, 143
Sent to WILDLIFE

"To prohibit the taking of game from certain public highways in Jones County."
Prohibits taking or attempting to take game by use of firearms from roadway or right-of-way of public highways US 17, US 70, NC 58, NC 41, and NC 258 in Jones County, punishable by \$50.00 and/or 30 days maximum. Directs peace officers and wildlife game protectors to enforce law.

H 468 Regulating subdivision sales
Introducer: M. Smith

GS 153
Sent to LOC GOVT

"To amend G.S. 153-266.6 relating to county subdivisions and sales prior to approval by the board of county commissioners and recordation of plat." Amends GS 153-266.6 to (1) make it a violation of section to subdivide land in violation of county subdivision ordinance adopted by comm'rs, and (2) to transfer or sell land by reference to, "exhibition of, or any other use" (adds quoted words) of plat showing subdivision before plat has been approved and recorded.

H 469 (Joint Resolution) Honoring "Marching Rockets"
band
Introducer: Hunter

MISC RES
Passed three readings and
sent to Senate

"Honoring the 'Marching Rockets' band of Rockingham." As title indicates.

H 470 Auto inspection requirements
Introducer: Wynne

GS 20
Sent to HY SAFETY

"To amend G.S. 20-183 to include exhaust systems and rear view mirrors in those items requiring annual safety inspection." Amends GS 20-183.3 as title indicates.

H 473 Filing State agency regulations (Iden. S 296)
Introducer: Whichard

GS 143
Sent to ST GOVT

"To establish a Code of State Administrative Regulations." Rewrites Art. 18 Ch. 143 to provide for registration of State administrative regulations. Requires every agency, dep't, institution, board, commission, etc. authorized by statute or executive order to exercise regulatory or administrative functions (excluding regional, county, municipal or local governmental units, or legislative or judicial branches) to file regulations adopted on or after July 1, 1972 with Attorney General (now Secretary of State). Makes regulations become effective 30 days after filing unless agency shows cause for earlier or later effective date but in no case earlier than filing date. Invalidates regulations previously in existence after June 30, 1972 unless filed in accordance with provisions of article, and these shall become effective immediately upon filing. Defines "regulation" as every rule, regulation, ordinance, standard and amendment thereto adopted by any agency; excludes rules relating only to internal management, directives or advisory opinions to specifically named person without general state-wide applicability, orders establishing rates or tariffs, and adjudication of specific matters. Prescribes form of regulation for filing and authorizes Attorney General (AG) to revise form and make technical non-substantive changes. Requires AG to make regulation available for public inspection during regular office hours; within 25 days after acceptance by Attorney General, agency to publish as prescribed in applicable statute. Requires AG to compile, index and publish all regulations conforming as nearly as possible to organization of General Statutes, and as soon as practicable after July 1, 1972 to publish compilation of regulations in force pursuant to this article. Requires courts and administrative agencies to take judicial or official notice of regulations effective under this article. Effective July 1, 1972.

H 474 Nash County-hunting on highways
Introducers: Barbee and Fenner

GS 113, 143
Sent to WILDLIFE

"Amending Chapter 863, Session Laws of 1961 and Chapter 246, Session Laws of 1963, relating to hunting from highways, so as to make it applicable to Nash County." As title indicates, makes it unlawful for any person in Nash County to hunt, take or kill game by use of firearms from right-of-way of public highway or other publicly-maintained throughfare, authority being given to law enforcement officers of Wildlife Resources Comm'n to enforce act by making arrests and seizing weapons.

LOCAL BILLS INTRODUCED

SENATE

S 297 Thomasville ABC election
Introducer: Saunders

DAVIDSON
Sent to ABC

"To authorize the qualified voters of the City of Thomasville to determine whether or not alcoholic beverage control stores shall be established in said city and to prescribe the disposition of the net profits thereof." Authorizes city council on own motion or upon petition signed by at least 15% registered voters voting in last municipal election for mayor to order election on question whether ABC stores may be operated in city. If ABC stores authorized, City Council to create 3 man City B'd of Alcoholic Control, with specified powers and duties. Requires net revenue from operations of stores to be distributed as follows: 5% for alcoholic education and rehabilitation, 10% to City of Thomasville for law enforcement, 10% to Davidson County Board of Education for school purposes, 20% to Thomasville Board of Educ. to operate Thomasville School District at higher standard than provided by county and State support including use for capital improvements and to supplement public school teachers' salaries, and 55% to general fund of city.

HOUSE

H 471 School merger election
Introducers: Speros, J.J. Johnson, McFadyen
and Odom

ROBESON
Sent to LOC GOVT

"To amend Chapter 887 of the Session Laws of 1969 with respect to the date of a school merger election to be held pursuant to recommendations of the Robeson County School Study Commission." Amends SL 1969, Ch. 887 to provide Robeson school merger election to be held at general election of November, 1972 (now, March 1, 1971).

H 472 Freeing Charlotte police cars
Introducers: Vogler, Beatty, Campbell,
Cobb, Foley, Hicks, and Lawing

MECKLENBURG
Sent to LOC GOVT

"Exempting vehicles used by the City of Charlotte for law enforcement purposes from the provisions of North Carolina General Statutes 14-247 and 14-252." Exempts Charlotte law enforcement cars from GS 14-247 restriction against private use of State or county owned vehicles, and from GS 14-252 which makes 14-247 applicable to cities.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 105 Farm trailers-soybeans & corn (digested in Bulletin No. 17, p. 107)

Amendments adopted in House 3/18/71 add hay and tobacco to products properly transported from farm to market on unlicensed trailers when drawn by properly licensed

vehicles, and define "transporting" as including actual hauling of products and all unloaded travel in connection therewith.

HOUSE BILLS

H 51 Open public meetings (digested in Bulletin No. 7, p. 39)

Committee substitute adopted in House 3/18/71 adds new Art. 33B to GS Ch. 143. Retains from original bill general requirement all meetings of any legislative, executive, administrative, or advisory bodies of State, counties, municipalities, other local boards and subdivisions, etc. to be open to public. Provides any of these bodies may by majority vote hold executive session and exclude public while considering acquisition or sale of property; negotiations between public employers and their employees or representative as to employment; matters dealing with specific patients and employees or members of medical staff; and any matter coming within physical-patient, lawyer-client or other privileged statutory relationship. Authorizes closed sessions regarding employment or dismissal of employee, or to hear complaint against employee; provided employee and counsel have right to be present at session, right to public hearing upon request; and provided further that final action on such matter to be taken in open session. Provides board of education or governing body of any educational institution may hear and decide disciplinary matter in closed session but that student to have right to be present with counsel at such session.

Excludes following from open session general rule: 1. NC State Board of Paroles; 2. State Probation Comm'n; 3. all law enforcement agencies; 4. grand and petit juries; 5. all state agencies, comm'ns and boards exercising quasi-judicial functions during any session held solely for purpose of making decision in adjudicatory action or proceeding; and 6. every board enumerated in GS 150-9 and every board, comm'n, council or other body, or committee thereof, authorized by statute to investigate, examine and determine the character and other qualifications of applicants for license to practice any profession in State, or authorized to revoke licenses of, or to reprimand or take disciplinary action concerning professional person; provided the nothing in Article to be construed to amend, repeal or supersede any present or future statute requiring public hearing in any proceeding before any such board, comm'n or other body, or any committee thereof.

Makes violation of act misdemeanor punishable by 6 months imprisonment or \$500 fine. Provides legal relief for citizen denied access to meeting in violation of Article. Provides any person disrupting any public meeting included within Article guilty of misdemeanor upon refusing request to leave. Effective July 1, 1971.

H 73 Emergency Finance Act of 1971 (digested in Bulletin No. 9, p. 54)

Amendment adopted in Senate 3/18/71 allows local gov't determining amt. of casual deficit during fiscal year 1970-71 from loss of local sales tax revenue to make up deficit by issuing prior to Jan. 1, 1972 (originally no limiting date) bonds or notes pursuant to County Finance Act, Municipal Finance Act, Local Government Act, or any other applicable general, special, private or local act (originally only first two acts listed), the bonds to mature not later than July 1, 1981, and the notes to mature not later than July 1, 1976 (originally no mention of maturity dates), with neither bonds nor notes to be considered in determining compliance with any statutory debt limitation (not mentioned in original). Gives General Assembly's special approval to levy of property taxes for payment of bonds and notes and interest on them and exempts those bonds and notes from referendum petitions and from need for voter approval.

SENATE AND HOUSE

CALENDAR ACTION

MAR.18,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 105 FARM TRAILERS-SOYBEANS & CORN.(3/18) H-FLOOR AMENDS ADOPTED; H-PASSED 3RD READING.
S. 181 ENDORSING REVENUE SHARING-2. S-REPTD FAV.
S. 210 RENAL DISEASE PROGRAM & FUNDS. S-REPTD FAV; S-PLACED ON CAL FOR MAR 23.
S. 247 POWER OF ATTORNEY, VALIDITY.(3/17) H-REC FROM SENATE; H-REF TO COM ON JUDIC 1.
S. 285 PROVISIONAL DRIVER LICENSES. S-PASSED 2ND & 3RD READING.
S. 291 (J.RES.) MEMORIALIZING PORTER. S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PASSED 2ND & 3RD READING.

H. 2 18 YEAR OLD VOTE-1.(3/16) H-PASSED 3RD READING.
H. 33 NC ESTUARY STUDY. S-PASSED 2ND & 3RD READING.
H. 34 STATE AIRPORT AID.(2/24) S-PLACED ON CAL FOR MAR 22.
H. 51 OPEN PUBLIC MEETINGS.(3/18) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
H. 73 EMERGENCY FINANCE ACT OF 1971.(3/18) S-COM AMEND ADOPTED: S-PASSED 2ND READING.
H. 121 NEW ELECTION TIE-BREAKER. H-REPTD FAV AS AMENDED.
H. 134 MOTOR VEHICLES ON COUNTY PROPERTY.(2/23, 3/17) S-PASSED 2ND & 3RD READING.
#H. 188 BLANK AUTO TITLES. RATIFIED CH. 99.
H. 197 (J.RES.) ENCOURAGE EDUCATIONAL REFORM. H-REPTD FAV.
H. 305 UNIFORM DATE FOR CANDIDACY. H-REPTD FAV.
#H. 334 VALIDATE MARITAL CONTRACTS.(3/12) RATIFIED CH. 101.
H. 469 (J.RES.) HONORING MARCHING ROCKETS BAND. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 171 (FORSYTH) WINSTON-SALEM PERSONALTY SALE. H-REPTD FAV.
S. 282 (SAMPSON) ABC ELECTION, NEWTON GROVE. S-REPTD FAV.

H. 146 (CUMBERLAND) REPEALING ANNEXATION EXEMPTION. H-PASSED 3RD READING.
H. 252 (BEAUFORT) BEAUFORT-EDUCATION BOARD. H-PASSED 2ND & 3RD READING.
#H. 281 (FORSYTH) WINSTON-SALEM STREET ENCROACHMENT. RATIFIED CH. 100.

- H. 319 (HARNETT) DUNN ELECTIONS. (3/08, 3/16) H-CONCURRED IN S AMEND.
- #H. 346 (ORANGE) CHAPEL HILL VOTE REGISTER. (3/12) RATIFIED CH. 102.
- H. 355 (WASHINGTON) AMBULANCE SERVICE LIENS. H-REPTD FAV.
- H. 383 (PASQUOTANK) COUNTY TAX COLLECTOR. H-REPTD FAV.
- H. 385 (DARE) COUNTY SCHOOL BOARD. H-PASSED 2ND & 3RD READING.
- H. 386 (WILKES) WILKESBORO TAX DISCOUNTS. H-REPTD FAV.
- H. 404 (ORANGE) HILLSBOROUGH POLICE JURISDICTION. H-REPTD FAV.
- H. 412 (MOORE) PINEBLUFF PROPERTY CONVEYANCE. H-PASSED 2ND & 3RD READING.
- H. 452 (RUTHERFORD) SPINDALE TOWN LIMITS. H-REPTD FAV AS AMENDED.

Next Sessions of Senate and House: 10:00 a.m., Friday, March 19, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

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BULLETIN NO. 48

-345-

FRIDAY, MARCH 19, 1971

PUBLIC BILLS INTRODUCED

SENATE

- S 298 Municipal annexation (Iden. H 476)
Introducers: Flaherty and others

GS 160
Sent to JUDIC 1

"To amend G.S. 160-453.5 and G.S. 160-453.17 relating to annexation by municipalities." Identical with H 476, digested in House section of today's Bulletin.

- S 299 Powell Bill funds (Iden. H 477)
Introducers: Harrington and others

GS 136
Sent to ROADS

"To amend Chapter 136 of the General Statutes to raise the appropriation to the Municipal Street Aid Fund, to change the allocation formula, to delete surplusage from G.S. 136-41.1 and to permit deductions for past due debts." Identical with H 477, digested in House section of today's Bulletin.

- S 300 "Old Rock House" funds
Introducers: Moore, Knox and Baugh

APPROPRIATION
Sent to APPROPRN

"To appropriate funds for the restoration of the Hezekiah Alexander Home, known as the 'Old Rock House'." Appropriates \$135,000 out of General Fund to Dep't of Archives and History for restoration of Old Rock House, appropriation to be subject to GS 143-31.2 (Executive Budget Act).

- S 301 Citizenship restoration
Introducers: Gudger and Strickland

GS 13
Sent to CORRECTN

"To simplify and make uniform proceedings for restoration of citizenship." Re-writes GS Ch. 13. Provides for procedures for restoring citizenship to persons whose citizenship has been forfeited because of conviction for felony or other infamous crime, upon petition filed in superior court of person's county of residence or county wherein convicted of crime causing forfeiture, setting forth residence, marital status, names of dependents, last place of confinement and date of discharge, information concerning convictions, and statement of compliance with terms of probation, parole or conditional release from place of confinement. Provides petition may be filed at "final release date," defined as unconditional release from prison, fulfillment and termination of probation, conditional release or parole, compliance with terms of suspended conviction, or payment of fine and costs if no sentence imposed. Requires designated NC agencies to advise prisoners, prior to termination of period of correction, of rights of citizenship restoration, and to assist in preparation of petition. Sets forth (1) summons procedure to inform solicitor and NC agencies of opportunity to show cause why petition should not be granted or to contravene statements in petition (failure to answer constitutes admission of facts in petition) and (2) notice and answer procedures to apprise



public of petition (no substantial change in notice provisions). Requires clerk of court to certify certain facts to court before hearing on petition. Requires court to hold hearing on petition (not earlier than 6 months following petitioner's "final release date") and to make findings of fact concerning designated matters, and, if findings can be made, to enter order restoring citizenship and rights thereof. Requires second or third hearings on petition in event petition denied at original or second hearing, respectively, and sets forth times at which those hearings may be held, procedure and times for rescheduling hearings, and the facts that must be found to restore citizenship at those hearings. Provides petitioner may proceed in forma pauperis. Effective July 1, 1971. (See also H 285, Bull. No. 30, p. 205.)

S 302 Dual office holding
Introducer: McGeachy

GS 128, CONSTITUTION
Sent to CONSTUTN

"To provide double office holding provisions for the General Statutes consistent with the new Constitution." Amends GS 128-1 (dual office holding) to delete exception to officers in militia, notaries public, commissioners of public charities or for special purposes, city or county building inspectors, electrical, plumbing, fire prevention or similar local governmental inspectors. Adds new GS 128-1.1 permitting any person holding federal, State, or local appointive office to hold concurrently one other appointive or elective State or local office pursuant to Art. VI, Sec. 9 of NC Constitution, and enables any person holding elective office in federal, State or local government to hold concurrently one other appointive office, place of trust or profit in State or local government. Amends GS 128-2 (penalty for holding office contrary to Constitution) to refer to Art. VI, Sec. 9 of new Constitution. Effective July 1, 1971.

HOUSE

H 475 Amending H 25 (CS), Ch. 78
Introducer: Speed

GS 20
Passed three readings and
sent to Senate

"To amend Chapter 78 of the 1971 Session Laws to correct an error." As title indicates, corrects omission in committee substitute to H 25 (H 25 digested in Bulletin No. 4, p. 22; com. sub. to H 25 digested in today's Bulletin) to include bell and siren with exhaust whistle as audible signals which when sounded by driver of police and fire department vehicles, public and private ambulances and rescue squad emergency service vehicles alert drivers to yield right-of-way.

H 476 Municipal annexation (Iden. S 298)
Introducers: Kincaid and others

GS 160
Sent to JUDIC 1

"To amend G.S. 160-453.5 and G.S. 160-453.17 relating to annexation by municipalities." Adds new subsection to GS 160-453.5 and 160-453.17 (GS 160-453.5 relates to procedure for annexation by municipalities of less than 5,000 population, and GS 160-453.17 is of the same character, but relates to municipalities of more than 5,000 population). Requires governing board of annexing municipality to hold referendum on issue of annexation if, after board gives notice of intent to annex, it receives petition for referendum signed by at least 25% of registered voters in area to be annexed or in annexing municipality. Requires referendum be submitted to voters in area to be annexed and to voters in annexing municipality. If majority of total votes cast both in annexing municipality and area to be annexed, counted together, are "for" annexation or if there are equal numbers of votes cast "for" and "against", the annexing municipality may proceed with annexation; otherwise, it may not, except upon new and favorable referendum. Sets forth procedure for calling referendum, latest time for holding it, who shall conduct it, manner in which it is to be conducted, and contents of ballots.

H 477 Powell Bill funds (Iden. S 299)
Introducers: Andrews and others

GS 136
Sent to ROADS

"To amend Chapter 136 of the General Statutes to raise the appropriation to the Municipal Street Aid Fund, to change the application formula, to delete surplusage from G.S. 136-41.1 and to permit deductions for past due debts." Amends GS 136-41.1 to provide for an annual appropriation out of State Highway fund a sum equal to net amount after refunds produced during the fiscal year by one cent tax on each gallon of motor fuel as taxed by GS 105-434 and GS 105-435. (Now, 1/2¢ tax per gallon.) Provides for distribution of 75% (now, 50%) of said funds among the several eligible municipalities in percentage proportion of population of all eligible municipalities based on latest decennial census, and 25% (now, 50%) to eligible municipalities in percentage proportion that mileage of its public streets and each eligible municipality which does not form part of highway system bears to total mileage of public streets in all eligible municipalities which are not part of State Highway System. Deletes references in GS 136-41.1 to Ch. 1250, 1949 SL. Adds to GS 136-41.3 provision authorizing State Highway Comm'n to apply a municipality's share of funds allocated as above to any of following unpaid accounts of municipality with Highway Comm'n: (1) cost sharing agreements for right of way pursuant to GS 136.66.3 (not to exceed 10% of any yr's allocation until debt repaid), (2) cost of relocating municipally-owned water lines and other utilities on State highway project which is responsibility of municipality, (3) cost of any other work performed for municipality by Comm'n by agreement between Comm'n and municipality, and (4) for other work made necessary by construction, reconstruction, or paving of highway on State Highway System for which municipality is legally responsible. Changes described in latter portion of digest effective upon ratification; proposed tax increase and changes in percentage distributions effective July 1, 1971, provided neither appropriations from State Highway Fund for fiscal 1970-71 nor allocation of such funds appropriated shall be affected by act.

H 478 Pay for school-injured teachers
Introducer: G. Rountree

GS 115
Sent to JUDIC 2

"To provide for the continuation of the salary of a teacher disabled as a result of an episode of violence while engaged in the course of his employment." Adds new GS 115-159.1 providing teacher injured in course of employment by student, trespasser or other teacher entitled to full salary during either remainder of school year or continuation of disability, whichever is shorter. Provides that benefits be in lieu of other income or disability benefits during that period; thereafter, benefits to be those granted under other provisions of NC law. Requires salary of any necessary substitute teacher be paid from same source of funds from which injured teacher paid. Does not limit right of injured teacher to benefits of medical, hospital, drug and related expenses from any other source, including workmen's compensation; not applicable to teacher injured while engaged in violent or disorderly conduct except as incident to attempt to restore order or in self-defense.

H 479 Historic Edenton funds
Introducer: Culpepper

APPROPRIATION
Sent to APPROPN

"To appropriate funds for Historic Edenton." Appropriates \$65,600 for three named projects (Barker House, Cupola House and James Iredell House) from General Fund to NC Dep't of Archives and History; funds to be expended in accordance with GS 143-31.2 (Executive Budget Act).

H 480 Renal disease program and funds (Iden. S 210)
Introducer: Chase

GS 130
Sent to HEALTH

"To amend Chapter 130 of the General Statutes to require the State Board of Health to establish a program for the care and treatment of persons suffering from

chronic renal diseases, and making an appropriation therefor." Identical with S 210, digested in Bulletin No. 35, p. 245.

H 481 Fish rustling GS 14, 113, 143
Introducers: Stevens and Taylor Sent to WILDLIFE

"Fixing the punishment for the larceny of fish from commercial or State fish hatcheries." As title indicates; fixes fine of not less than \$500 or imprisonment for not less than 60 days, or both.

H 482 Requiring emission control device GS 20
Introducer: Davis Sent to WATER

"Relating to emission control devices on motor vehicles and the inspection thereof." Adds new section GS 20-128(c) prohibiting any motor vehicle registered in NC, manufactured during or since 1968, from being sold or operated in NC unless equipped with "all of the emission control devices to reduce air pollution that are required by federal law applicable to the model year of manufacture." Adds new paragraph to GS 20-183.3 prohibiting inspection certificate from being issued to such vehicle unless equipped with said device. Effective January 1, 1972.

H 483 Tax-sheltered annuities GS 105
Introducers: Martin and Vogler Sent to FINANCE

"To exempt from income tax a portion of certain annuities purchased by charitable, etc., organizations or public schools." Adds news subsection GS 105-141(b)(17) (items not included as "gross income" and exempt from NC income tax). Excludes from gross income portion of amounts contributed for purchasing annuity contract for employee of federally tax-exempt employer or of NC or state or local gov't agency. Exclusion to apply only if annuity contract not purchased under plan meeting requirements of GS 105-161(f)(1)(a)--tax exempt estates and trusts--and if employee's rights under annuity contract are nonforfeitable (except for non-payment of premium). Amounts contributed by employee for annuity contract on or after rights become nonforfeitable enjoy limited exclusion from employee's gross income. Employee to include in gross income amounts received under annuity contract, in year received, per GS 105-141.1 (taxation of annuities by inclusion in gross income). Defines terms used in determining amounts entitled to limited exclusion from taxation and amounts taxable as gross income. Sets forth method for determining "number of years of service" by employee. Requires two or more annuity contracts be treated as one. Provides for manner of treating rights under annuity contract when rights change from forfeitable to nonforfeitable.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 113 Right of withdrawal-stored water (digested in Bulletin No. 19, p. 123)
Amendment adopted in House 3/19/71 adds provision to GS 143-214.46 qualifying exercise of right of withdrawal by specifying withdrawal shall not require any person other than holder of right to incur additional capital expenditure in order to enable holder of right to withdraw any excess volume of water from a watercourse below impoundment.

HOUSE BILLS

H 25 Rescue squad safe driver (digested in Bulletin No. 4, p. 22)
Committee substitute adopted in House 3/4/71 adds requirement that driver of emergency vehicle give warning signal by appropriate light and by exhaust whistle audible under normal conditions from a distance not less than 1000 ft. Original bill required operator to sound audible signal by bell, siren, or exhaust whistle without reference to distance.

H 115 Great Seal of the State (digested in Bulletin No. 14, p. 89)

Amendment adopted in House 3/19/71 makes technical changes and deletes Latin motto "esse quam videri".

H 121 New election tie-breaker (digested in Bulletin No. 14, p. 90)

Amendment adopted in House 3/19/71 requires State Board of Elections to order new election to be held within 4 weeks after general election (10 days in original bill).

H 304 Tuesday primaries (digested in Bulletin No. 31, p. 213)

Amendment adopted in House 3/19/71 changes date of primary elections from "third Tuesday in April" to "Tuesday next after the first Monday in May".

H 452 Spindale town limits (digested in Bulletin No. 46, p. 331)

Technical amendment adopted in House 3/19/71.

SENATE AND HOUSE

CALENDAR ACTION

MAR.19,1971

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 51 HIGHWAY LITTER FINE.(3/02) H-REPTD FAV AS AMENDED.
 S. 105 FARM TRAILERS-SOYBEANS & CORN.(3/18) S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMENDS.
 S. 113 RIGHT OF WITHDRAWAL-STORED WATER.(3/19) H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING.
 S. 170 COUNCIL OF STATE MINUTES.(3/17) H-PASSED 2ND & 3RD READING.
 # S. 181 ENDORSING REVENUE SHARING-2. S-POSTPONED INDEF.
 S. 210 RENAL DISEASE PROGRAM AND FUNDS. S-RE-REF COM ON APPROPRN.
 S. 285 PROVISIONAL DRIVER LICENSES. H-REC FROM SENATE; H-REF TO COM ON HY SAFTY.
 #S. 291 (J.RES.) MEMORIALIZING PORTER. RATIFIED RES. 31.
 H. 2 18 YEAR OLD VOTE-1.(3/16) S-REC FROM HOUSE; S-REF TO COM ON CONSTUTN.
 #H. 33 NC ESTUARY STUDY. RATIFIED CH. 103.
 H. 73 EMERGENCY FINANCE ACT OF 1971.(3/18) S-PASSED 3RD READING.
 H. 115 GREAT SEAL OF THE STATE.(3/19) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
 H. 121 NEW ELECTION TIE-BREAKER.(3/19) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
 H. 134 MOTOR VEHICLES ON COUNTY PROPERTY.(2/23, 3/17) H-REC TO CONCUR IN S AMEND.
 H. 158 HIDE-AND-EARS SHOW. S-REPTD FAV.
 #H. 170 RIGHT OF WITHDRAWAL-STORED WATER. H-POSTPONED INDEF.
 H. 197 (J.RES.) ENCOURAGE EDUCATIONAL REFORM. H-PASSED 2ND & 3RD READING.
 H. 210 SLOW VEHICLE REFLECTORS. H-PLACED ON CAL FOR MAR 23.
 H. 304 TUESDAY PRIMARIES.(3/19) H-COM AMEND ADOPTED; H-PASSED 2ND READING.
 H. 305 UNIFORM DATE FOR CANDIDACY. H-PASSED 2ND & 3RD READING.
 H. 361 ANTIQUE,HISTORIC WEAPONS. H-PASSED 2ND & 3RD READING.
 H. 370 REALTY BROKERS-UNEMPLOYMENT INS.. H-POSTPONED TO MAR 30.
 H. 408 HEALTH BD. ALTERNATES. H-PASSED 2ND & 3RD READING.
 H. 417 GS 1A,1B REPLACEMENT VOLUMES. H-PASSED 2ND & 3RD READING.
 #H. 469 (J.RES.) HONORING MARCHING ROCKETS BAND. RATIFIED RES. 32.
 H. 475 AMENDING H 25,CH. 78. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 171 (FORSYTH) WINSTON-SALEM PERSONALTY SALE. H-PASSED 2ND & 3RD READING.

- S. 282 (SAMPSON) ABC ELECTION, NEWTON GROVE. S-PASSED 2ND & 3RD READING.
- H. 146 (CUMBERLAND) REPEALING ANNEXATION EXEMPTION. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 252 (BEAUFORT) BEAUFORT-EDUCATION BOARD. S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
- #H. 319 (HARNETT) DUNN ELECTIONS.(3/08, 3/16) RATIFIED CH. 104.
- H. 354 (WASHINGTON) PISTOL PERMITS. H-PASSED 2ND & 3RD READING.
- H. 355 (WASHINGTON) AMBULANCE SERVICE LIENS. H-PASSED 2ND & 3RD READING.
- H. 383 (PASQUOTANK) COUNTY TAX COLLECTOR. H-PASSED 2ND & 3RD READING.
- H. 385 (DARE) COUNTY SCHOOL BOARD. S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
- H. 386 (WILKES) WILKESBORO TAX DISCOUNTS. H-PASSED 2ND READING.
- H. 404 (ORANGE) HILLSBOROUGH POLICE JURISDICTION. H-PASSED 2ND & 3RD READING.
- H. 412 (MOORE) PINEBLUFF PROPERTY CONVEYANCE. S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
- H. 452 (RUTHERFORD) SPINDALE TOWN LIMITS.(3/19) H-COM AMEND ADOPTED; H-PASSED 2ND READING.

Next Sessions of Senate:

9:30 a.m., Saturday, March 20, 1971; 8:00 p.m., Monday, March 22, 1971.

Next Sessions of House:

9:00 a.m., Saturday, March 20, 1971; 8:00 p.m., Monday, March 22, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

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BULLETIN NO. 49

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MONDAY, MARCH 22, 1971

Note: The Senate convened at 9:30 a.m. and the House at 10:00 a.m. on Saturday, March 20, 1971, for consideration of local bills only. No bills were introduced and no calendar action was taken in either Chamber.

PUBLIC BILLS INTRODUCED

SENATE

S 303 General Assembly sessions
Introducers: Moore and Folger

GS 120
Sent to G ASSEMB

"To change the time of meeting of the General Assembly after the election of a Governor to the first Wednesday in February." Amends GS 120-11.1 to provide regular session of General Assembly be held biennially beginning on first Wednesday after second Monday in January next after election of members of the General Assembly, except in years when such election coincides with election of Governor, session shall begin on first Wednesday in February. (Now, always first Wednesday after second Monday in January.)

S 304 Collective bargaining-firemen
Introducers: Frink and Alley

GS 95
Sent to MFG LABR

"To provide collective bargaining for fire fighters." Adds new Art. 12A to Ch. 95 permitting organization and collective bargaining by fire fighters, but explicitly denying right to strike or engage in work stoppage or slowdown. Defines fire fighters as permanent paid members of any fire dep't, including new members serving apprenticeship, and gives them right to bargain collectively with their city, town or other political subdivision and to be represented by a vocational organization in that bargaining on wages, rates of pay, working hours, working conditions and all other terms and conditions of employment. Makes vocational organization chosen by majority of firemen in governmental employing authority sole and exclusive bargaining agent until majority of firemen vote otherwise. Requires city, town or other political subdivision employer to commence collective bargaining in good faith within 10 days of receipt of written request by vocational organization, that duty including the obligation to reduce any agreement reached to a written contract. Requires arbitration for any issue unresolved within 30 days, each side to choose one arbitrator within five days and notify the other of its choice, the two so chosen to pick the third arbitrator (who is to be chairman) within another 10 days, or if they cannot agree the third will be chosen by American Arbitration Ass'n, with both sides to bear arbitration costs equally. Directs arbitration bd. to call hearing within 10 days after selection of chairman, giving seven days notice to other arbitrators and to parties, the hearing to be informal and not subject to technical rules of evidence, although oaths can be administered and subpoena of persons and records made. Requires hearing to be concluded within 20 days of start and written conclusions to be presented within 10 days of conclusion. Lists following factors as those to be considered by arbitration bd. in making decision: comparative wages and



hours of skilled employees in building trades and industry in local area; comparative wages and hours in work with similar skills in local area; comparative wages and hours in fire dep'ts in towns of similar size; peculiar physical and educational qualifications for job and peculiar hazards of job; and cost of service to taxpayers. Makes agreement actually reached between parties either before or within 10 days after arbitration the collective bargaining contract for the period stated in it, that period not to exceed one year. Requires notice of desire to bargain on any matter requiring appropriation by town to be made at least 110 days prior to last day on which town can appropriate money for the contract period to be subject to bargaining.

Amends GS 95-97 to delete its reference to firemen as public employees prohibited from joining labor unions.

S 308 Auto insurance-cancellation
Introducer: Burney

GS 20
Sent to INSUR

"To amend Article 13 of the General Statutes of North Carolina relating to cancellation of automobile liability insurance." Amends GS 20-310(b) to provide no contract of insurance in effect for 60 days and no renewal thereof may be terminated by cancellation by insurer unless specific listed provisions not complied with, (now, applies only to contract of insurance, not renewal thereof). Effective January 1, 1972, and applicable only to insurance policies written or renewed after said date.

S 309 Adverse possession law
Introducers: Strickland and Kirby

GS 1
Sent to JUDIC 1

"To rewrite G.S. 1-35, G.S. 1-38 and G.S. 1-40 relative to adverse possession of real property by ignorance, inadvertence or mistake." Adds to GS 1-35, -38 and -40 provision rights of parties in adverse possession suits under these sections not to be altered by fact possession begun or continued because of ignorance, inadvertence or mistake and without an intention to claim land known to be land of another (now, sections silent as to possession by ignorance or mistake). Effective October 1, 1971.

S 310 Honoring Hudson
Introducers: Kirby and Strickland

MISC RES
Passed three readings and
and sent to House

"Honoring H. Gardner Hudson, Sr., for his service to the State of North Carolina through the General Statutes Commission." As title indicates.

HOUSE

H 484 Street closing-counties
Introducer: Payne

GS 153
Sent to ROADS

"To amend G.S. 153-9(17) relating to street and road closings." Adds to GS 153-9(17) provision bds. of county comm'rs to have authority to remove from dedication all easements now or hereafter dedicated, removal to be in same manner as for closing of streets and roads.

H 487 Out-of-State costs-mentally ill
Introducers: McDaniel and others

GS 122
Sent to SOC SERV

"To amend G.S. 122-38 relating to proceedings in case of a mentally ill or inebriate citizen of another state to relieve counties of the responsibility for payment of expenses." Amends GS 122-38 to provide State (now, county where adjudged proper subject for restraint or treatment) to pay cost of transporting mentally ill or inebriate citizen of another state back to his state of residence.

LOCAL BILLS INTRODUCED

SENATE

S 305 County officers-bonds

Introducers: Murrow and McLendon

GUILFORD

Sent to LOC GOVT

"To amend G.S. 153-9(11) relating to bonds of Guilford County Officers."

Rewrites GS 153-9(11) (powers of County Commissioners to approve bonds of county officers and to induct into office) as applicable to Guilford County to authorize Comm'rs to qualify and induct all officers listed in GS 153-9(11) except Clerk of Superior Court and constable, and to take and approve official bonds of such officers when they have been duly elected, and to take and approve official bonds of other county officials required to give bond in such amount as Comm'rs deem advisable as long as amount approved is at or above all statutory minimums. Deletes provision permitting appeal by officer to superior court judge riding district in which county is located. Provides all bonds to be registered with register of deeds and original deposited with clerk of superior court, register of deeds, or clerk to board (GS 153-9(11) as generally applies specifies bond must be deposited with clerk of superior court).

S 306 Bd. of Education-High Point

Introducers: Murrow and McLendon

GUILFORD

Sent to EDUCATN

"To amend Chapter 670 of the Session Laws of 1961 relating to the appointment and terms of members of the High Point City Board of Education." As title indicates, provides that no more than 2 (now, 3) members of bd. of education may be from any one ward and that the terms of the members shall be 4 (now, 7) years. Further provides that no member may serve more than 2 consecutive terms and no person who has served 2 consecutive terms shall be eligible for another term within 1 year of the expiration of his second consecutive term. Act not to affect length of term of members serving at date of ratification.

S 307 More bingo permitted

Introducers: Murrow, Bowles, and McLendon

GUILFORD

Sent to LOC GOVT

"Relating to the game of bingo in the County of Guilford." Legalizes bingo when games sponsored by religious, veterans, charitable, fraternal, or trade associations of Guilford County, and deletes Guilford from counties in which bingo is legalized by Ch. 561, SL 1949 (more limited local act).

HOUSE

H 485 School bd. election-1

Introducers: Lilley and Hardison

GREENE

Sent to EDUCATN

"To provide for the nomination and election of the Greene County Board of Education in partisan elections." Gives Greene County Bd. of Educ. membership of five, to be nominated and elected by voters of county at large, and to have four-year staggered terms (two or three terms to expire each two years), with replacements to be made for members whose terms next expire beginning with partisan primary and election of county officers to be held in 1972. Requires qualification by oath-taking according to GS 115-22. Makes Art. 5 of Ch. 115 (county and city bds. of educ.) applicable to Greene County except as conflicts with this act. Effective July 1, 1971.

H 486 School bd. election-2
Introducers: Lilley and Hardison

LENOIR
Sent to EDUCATN

"To provide for the nomination and election of the Lenoir County Board of Education in partisan elections." Identical with H 485, digested in today's Bulletin, except applies to Lenoir County rather than Greene County.

H 488 Garbage dump road
Introducers: Marion, Collins and Gentry

ASHE
Sent to LOC GOVT

"Authorizing Ashe County to pay the cost of constructing a road to the Ashe County garbage dump." Authorizes Ashe County Bd. of Comm'rs to levy and appropriate \$3,900 to reimburse Collection Service Co. for building a road to Ashe County dump from NC Highway 88.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 51 Highway litter fine (digested in Bulletin No. 9, p.54, Senate amendment digested in Bulletin No. 35, p. 248)

Amendments adopted in House 3/22/71 (1) makes violation of GS 14-399 a misdemeanor punishable by fine of not less than \$10.00 or more than \$200.00, imprisonment for not more than 30 days, or both (original bill prescribed \$500.00 maximum); and (2) makes it unlawful knowingly or willfully to place or leave garbage etc. on right-of-way of public road or State highway unless placed in a designated location or container for removal by a specific garbage or trash service collector (original bill did not specify knowingly or willfully and did not contain stated exception).

S 202 Trucks-mud flaps (digested in Bulletin No. 35, p. 244)

Amendment adopted in Senate 3/22/71 provides act shall not apply to log trucks, pulpwood trucks or other open-bed trucks that carry poles, pulpwood or logs.

HOUSE BILLS

None

SENATE AND HOUSE

CALENDAR ACTION

MAR. 22, 1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 51 HIGHWAY LITTER FINE.(3/02) H-COM AMEND ADOPTED; H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING.
S. 113 RIGHT OF WITHDRAWAL-STORED WATER.(3/19) S-REC TO CONCUR IN H AMEND; S-PLACED ON CAL. MAR. 23.
S. 170 COUNCIL OF STATE MINUTES.(3/17) S-REC TO CONCUR IN H AMEND; S-REF TO COM ON ST GOVT.
S. 202 TRUCKS-MUD FLAPS.(3/17, 3/22) S-FLOOR AMEND ADOPTED; S-FAILED 2ND READING.
S. 273 MEDICAL ASSISTANCE DEFICITS. S-RECALL FROM COM; S-RE-REF COM ON RESOURCE.
S. 276 RURAL FIRE DISTRICTS EXCLUSIONS. S-REPTD FAV.
S. 310 (J.RES.) HONORING HUDSON. S-PASSED 2ND & 3RD READING.
H. 34 STATE AIRPORT AID.(2/24) S-PLACED ON CAL. MAR. 24.
H. 73 EMERGENCY FINANCE ACT OF 1971.(3/18) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
H. 115 GREAT SEAL OF THE STATE.(3/19) S-REC FROM HOUSE; S-REF TO COM ON ST GOVT.
H. 121 NEW ELECTION TIE-BREAKER.(3/19) S-REC FROM HOUSE; S-REF TO COM ON RULES.
H. 134 MOTOR VEHICLES ON COUNTY PROPERTY.(2/23, 3/17) H-CONCURRED IN S AMEND.
H. 158 HIDE-AND-EARS SHOW. S-PASSED 2ND & 3RD READING.
H. 197 (J.RES.) ENCOURAGE CORRECTIONAL REFORM. S-REC FROM HOUSE; S-REF TO COM ON CORRECTN.
H. 304 TUESDAY PRIMARIES.(3/19) H-PASSED 3RD READING.
H. 305 UNIFORM DATE FOR CANDIDACY. S-REC FROM HOUSE; S-REF TO COM ON INTERGOV.
H. 361 ANTIQUE,HISTORIC WEAPONS. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
H. 408 HEALTH BD. ALTERNATES. S-REC FROM HOUSE; S-REF TO COM ON PUB HLTH.
H. 417 GS 1A,1B REPLACEMENT VOLUMES. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.

LOCAL BILLS

- S. 253 (PERSON) AMBULANCE SERVICE PAYMENTS. S-REPTD FAV.

- S. 282 (SAMPSON) ABC ELECTION, NEWTON GROVE. H-REC FROM SENATE; H-REF TO COM ON ABC.
- H. 280 (ROCKINGHAM) MADISON RETIREMENT. S-REPTD FAV.
- H. 352 (WAYNE) FREMONT ALDERMEN'S TERMS. S-REPTD FAV.
- H. 354 (WASHINGTON) PISTOL PERMITS. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.
- H. 355 (WASHINGTON) AMBULANCE SERVICE LIENS. S-REC FROM HOUSE; S-REF TO COM ON PUB HLTH.
- H. 367 (YADKIN) COUNTY PROPERTY SALE. S-REPTD FAV.
- H. 383 (PASQUOTANK) COUNTY TAX COLLECTOR. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 386 (WILKES) WILKESBORO TAX DISCOUNTS. H-PASSED 3RD READING.
- H. 404 (ORANGE) HILLSBOROUGH POLICE JURISDICTION. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 452 (RUTHERFORD) SPINDALE TOWN LIMITS. (3/19) H-PASSED 3RD READING.

Next Sessions of Senate and House: 12 noon, Tuesday, March 23, 1971.

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DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

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BULLETIN NO. 50

-359-

TUESDAY, MARCH 23, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 311 Preventive dental program-funds
Introducers: Rauch and McGeachy

APPROPRIATION
Sent to APPROPN

"To appropriate certain funds to the State Board of Health to provide for a state-wide preventive dental program for North Carolina." Appropriates from General Fund to State Board of Health following funds: (1) \$500,050 to pay salary, expenses, etc. of dental hygienists (12 in 1971-72, 20 in 1972-73) who "will implement major innovations in the preventive dental program"; (2) \$45,000 for biennium to provide special training for private-practicing dentists in new techniques of plaque control.

S 312 School dental health-funds
Introducers: Rauch and McGeachy

APPROPRIATION
Sent to APPROPN

"To appropriate certain funds to the State Board of Health to implement preventive dental health measures." Appropriates \$77,706 for 1971-73 biennium from General Fund to State Board of Health to purchase necessary equipment, supplies and materials to floridate approximately 40 rural school water systems and for salaries and travel for two engineering technicians.

HOUSE

H 489 Repeal G.S. Chapter 3
Introducers: Love and Arnold

GS 3
Sent to JUDIC 1

"To repeal Chapter 3 of the General Statutes." As title indicates, repeals GS Ch. 3 (Commissioners of Affidavits and Deeds).

H 491 "Old Rock House" funds (Iden. S 300)
Introducer: Beatty

APPROPRIATION
Sent to APPROPN

"To appropriate funds for the restoration of the Hezekiah Alexander Home, known as the 'Old Rock House'." Identical with S 300, digested in Bulletin No. 48, p. 345.

H 492 Road-side rest areas-no loitering
Introducers: Lawing and others

GS 136
Sent to ROADS

"To restrict the use of road side rest areas." Adds new GS 136-90.1 prohibiting loitering at State-maintained road-side rest areas for period of more than 30 minutes. Sets maximum penalty (misdemeanor) of \$50 or 30 days. Not applicable to legitimate use of picnic and recreational facilities during one-half hour before sunrise or one-half hour after sunset. Also not applicable if use of rest area was for rest or sleep and



SENATE

HOUSE

AMENDMENTS AND COMMITTEE SUBSTITUTES

HOUSE BILLS

Amendments adopted in House 3/23/71: (1) clarifies provision allowing executive session as to matters dealing with patients and employees or members of medical staffs by adding "of a hospital or medical clinic"; (2) allows student to have right to public hearing upon his request in disciplinary hearings; (3) clarifies references to NC General Statutes; and (4) limits punishment to maximum of six months' imprisonment or maximum fine of \$500 in case of conviction of person for wilful disturbance of public meetings.

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 5 STATUTORY CONSTRUCTION. H-REPTD FAV.
S. 51 HIGHWAY LITTER FINE.(3/02, 3/22, 3/22, 3/23) H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING.
#S. 105 FARM TRAILERS-SOYBEANS & CORN.(3/18) RATIFIED CH. 107.
S. 113 RIGHT OF WITHDRAWAL-STORED WATER.(3/19) S-CONCURRED IN H AMEND.
S. 123 FILING LEGITIMATION PETITIONS.(3/23) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
S. 144 CLARIFY SIGNALS LAW.(3/10) H-RECALLED FROM COM; H-RE-REF COM ON JUDIC 1.
S. 189 LANDSCAPE ARCHITECT CORPORATIONS. S-REPTD FAV.
S. 199 LANDSCAPE ARCH GRANDFATHER. S-REPTD FAV AS AMENDED.
S. 232 RETIREMENT SYSTEM ADMINISTRATION. H-REPTD FAV.
S. 233 INCREASED RETIREMENT BENEFITS. H-REPTD FAV.
S. 250 ALTERNATIVE REDEVELOPMENT PLAN. H-REPTD FAV.
S. 276 RURAL FIRE DISTRICTS EXCLUSIONS. S-PLACED ON CAL FOR APR 5.
S. 310 (J.RES.) HONORING HUDSON. H-REC FROM SENATE; H-PASSED 2ND & 3RD READING.

H. 18 \$1.60 MINIMUM WAGE.(3/02, 3/04) S-REPTD FAV AS AMENDED.
H. 47 STATUTORY CONSTRUCTION. H-REPTD FAV.
H. 51 OPEN PUBLIC MEETINGS.(3/18, 3/23) H-FLOOR AMENDS ADOPTED; H-FLOOR AMENDS TABLED; H-PASSED 2ND READING.
H. 61 DAMAGES-UNLAWFUL TIMBER CUTTING.(1/28, 2/03) S-REPTD FAV AS AMENDED.
#H. 73 EMERGENCY FINANCE ACT OF 1971.(3/18) RATIFIED CH. 108.
H. 111 \$300 AUTO ACCIDENT REPORTS. H-REPTD FAV AS AMENDED.
#H. 134 MOTOR VEHICLES ON COUNTY PROPERTY.(2/23, 3/17) RATIFIED CH. 109.
H. 144 LIQUOR AT POLITICAL TALKS. H-REPTD FAV.
#H. 158 HIDE-AND-EARS SHOW. RATIFIED CH. 110.
H. 210 SLOW VEHICLE REFLECTORS. H-PLACED ON CAL FOR MAR 30.
H. 212 ADOPTION OF ABANDONED CHILDREN. H-REPTD FAV.
H. 232 FARM EQUIPMENT WIDTH.(3/04, 3/04, 3/05) S-REPTD FAV AS AMENDED.
H. 304 TUESDAY PRIMARIES.(3/19) S-REC FROM HOUSE; S-REF TO COM ON POLICIES.
H. 339 CHEMICAL TEST REFUSAL REVOCATION-2. H-REPTD FAV.
#H. 349 CHILD PLACEMENT LIMITATION. H-REPTD UNFAV.

- #H. 362 RETIREMENT SYSTEM ADMINISTRATION. H-REPTD UNFAV.
- #H. 363 INCREASED RETIREMENT BENEFITS. H-REPTD UNFAV.
- H. 382 TO PROVIDE STORAGE LIEN. H-RECALLED FROM COM; H-RE-REF COM ON JUDIC 1.
- H. 403 SIGNING SUBPOENAS. H-REPTD FAV.
- H. 449 SCHOOL BUS STOP CHANGES. H-REPTD FAV.

LOCAL BILLS

- S. 253 (PERSON) AMBULANCE SERVICE PAYMENTS. S-PASSED 2ND & 3RD READING.
- H. 19 (ORANGE) MASTER FORM MORTGAGES. H-REPTD FAV.
- H. 280 (ROCKINGHAM) MADISON RETIREMENT. S-PASSED 2ND & 3RD READING.
- H. 352 (WAYNE) FREMONT ALDERMEN'S TERMS. S-PASSED 2ND & 3RD READING.
- H. 367 (YADKIN) COUNTY PROPERTY SALE. S-PASSED 2ND & 3RD READING.
- H. 386 (WILKES) WILKESBORO TAX DISCOUNTS. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 387 (SCOTLAND) WAGRAM BEER AND WINE. H-REPTD FAV.
- H. 452 (RUTHERFORD) SPINDALE TOWN LIMITS.(3/19) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

Next Sessions of Senate and House: 12 noon, Wednesday, March 24, 1971.

DAILY BULLETIN

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BULLETIN NO. 51

-363-

WEDNESDAY, MARCH 24, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 314 (Joint Resolution) Ratifying 19th Amendment
(Iden. H 501)
Introducer: Bowles

MISC RES
Sent to CONST

"Ratifying the 19th Amendment to the Constitution of the United States of America, relating to the right of all citizens of the United States to vote, regardless of sex."
As title indicates (19th Am. certified 8/26/20 as part of US Const.). Directs copies of preamble and act be sent to designated public officials.

S 315 (Joint Resolution) Honoring LWV
Introducer: Bowles

MISC RES
Passed three readings
and sent to House

"Recognizing and congratulating the League of Women Voters of North Carolina for twenty years of service to good government." As title indicates. Directs copies of resolution be sent to designated officers of LWV.

S 316 (Joint Resolution) Honoring ECSU basketball
Introducers: Harrington and Wood

MISC RES
Passed three readings
and sent to House

"Congratulating and commending the coaches and players of the Elizabeth City State University basketball Vikings for their performance during the season and post-season play."
As title indicates.

S 317 Workmen's compensation-diseases
Introducers: Staton and Folger

GS 97
Sent to MFG & LABR

"To amend G.S. 97-53 relating to occupational diseases under the Workmen's Compensation Act." Amends GS 97-53(13) (occupational diseases) to strike out "infection or inflammation" and substitute "any abnormal condition" relating to skin, eyes or external surfaces or nasal or oral cavities. Effective July 1, 1971, and applicable only to cases originating on or after July 1, 1971.

S 318 Service of process-registered mail
Introducer: Deane

GS 1A
Sent to JUDIC 2

"To amend G.S. 1A-1, Rule 4(j)(9)b to specify that service of process thereunder shall be by registered mail with delivery to the addressee only." As title indicates, provides that when service is by registered mail under Rule 4(j)(9)b process shall be delivered to the addressee only. Effective January 1, 1972.



HOUSE

H 494 General Assembly sessions (Iden. S 303)
Introducer: H. Rountree

GS 120
Sent to ST GOVT

"To change the time of meeting of the General Assembly after the election of a Governor to the first Wednesday in February." Identical with S 303, digested in Bulletin No. 49, p. 353.

H 496 Two judges, 14th Judicial District
Introducers: Miller and Whichard

GS 7A
Sent to COURTS

"To provide for an additional resident judge in the Fourteenth Judicial District." Creates additional resident judgeship for 14th JD, effective Jan. 1, 1971. Provides for Governor to appoint judge on or after July 1, 1971, to take office immediately following appointment. Successor to appointee to be chosen in manner other judges are selected under GS Ch. 7A in 1972 general election, to serve unexpired portion of 8-yr. term beginning Jan. 1, 1971. Successors thereafter to be chosen in manner of other judges, under GS Ch. 7A. Present resident judge of 14th JD to be senior resident judge. Provides for duties of senior and other resident judge of 14th JD. Conforms GS 7A-14.

H 497 Motion pictures as evidence
Introducers: R. Brown and others

GS 20
Sent to JUDIC 1

"To amend Chapter 20 of the General Statutes of North Carolina to authorize motion pictures of subjects in cases involving drunken driving and the admission of such motion pictures into evidence in criminal and civil cases." Adds new GS 20-139.2, authorizing law enforcement officers to make motion picture (with or without sound) of persons arrested for offense arising out of acts allegedly committed while under influence of liquor or drugs, if made for purpose of showing person's condition at time of offense. Provides officer must have "reasonable grounds" to believe person committed designated offense before he can have picture made. Authorizes admission into evidence of pictures in criminal or civil actions relating to offense to illustrate witness' testimony as to person's condition. Not to be construed as prohibiting other pictures from being introduced in evidence in other cases. Effective July 1, 1971.

H 498 Corporate stamps for seals
Introducer: R. Farmer

GS 47
Sent to JUDIC 1

"To provide for the use of the corporate stamp in lieu of the corporate seal." Adds new GS 47-41.1, permitting use of legible corporate stamp in lieu of corporate seal on all documents requiring corporate execution. Provides documents so executed are valid and binding. Effective July 1, 1971.

H 499 Dangerous weapons at schools
Introducers: McDaniel and others

GS 14
Sent to JUDIC 2

"To protect persons on the property of any public or private educational institution from carrying firearms or other weapons." Prohibits persons from carrying or possessing designated weapons (except when used for instructional purposes only) on public or private school property. Not applicable to members of armed forces, US civil officers, members of militia and national guard, or NC, county or municipal law enforcement or other officers, or pupils in ROTC who are required to carry weapons (all in the discharge of official duties). Makes violation misdemeanor punishable by maximum of \$500 or 6 months, or both. For similar bill, see H 79, digested in Bulletin No. 10, p. 59.

H 500 Tobacco research funds
Introducers: McMichael and Webster

APPROPRIATION
Sent to APPROPRN

"To appropriate funds for the expansion and construction of buildings for storage and other purposes in connection with tobacco research at North Carolina State University." As title indicates, appropriates \$48,700 from General Fund to the Consolidated University of North Carolina for addition to existing storage buildings and construction of three additional storage buildings for NCSU's tobacco research at Reidsville, NC.

H 501 (Joint Resolution) Ratifying 19th Amendment
(Iden. S 314)
Introducer: Whichard, by request

CONSTITUTION
Sent to ELECTION

"Ratifying the 19th Amendment to the Constitution of the United States of America, relating to the right of all citizens of the United States to vote, regardless of sex." Identical with S 314, digested in the Senate section of today's Bulletin.

H 502 Enticing servant law repealed
Introducer: Twigg

GS 14
Sent to JUDIC 2

"To repeal G.S. 14-347 regarding enticing a servant to leave his master." As title indicates.

H 503 Enticing seaman law repealed
Introducer: Twiggs

GS 14
Sent to JUDIC 2

"To repeal G.S. 14-349 regarding enticing seamen from their vessel." As title indicates.

H 504 Secreting seamen law repealed
Introducer: Twiggs

GS 14
Sent to JUDIC 2

"To repeal G.S. 14-350 regarding secreting or harboring deserting seamen." As title indicates, repeals section making it misdemeanor (\$50 or 30 days) knowingly to secrete or harbor any deserting seaman, the discovery of the seaman being prima facie evidence that person knew he was deserter.

H 505 Seamen search warrants repealed
Introducer: Twiggs

GS 14
Sent to JUDIC 2

"To repeal G.S. 13-351 regarding search warrants for deserting seamen." Repeals GS 14-351 (procedure for issuing search warrants for deserting seamen).

H 506 Seamen case appeals abolished
Introducer: Twigg

GS 14
Sent to JUDIC 2

"To repeal G.S. 14-352 regarding appeal in cases of deserting seamen." As title indicates (present section deals with appeals by seamen and others regarding enticing seamen from vessels and issuance of search warrants for deserting seamen).

LOCAL BILLS INTRODUCED

SENATE

S 319 Salisbury School Board term
Introducer: Kirk

DAVIE
Sent to EDUCATN

"To amend Chapter 131 of the Private Laws of the 1921 Session relating to the term

of office of members of the School Board of the Salisbury City School Administrative Unit." Provides that members of School Board of Salisbury School Administrative Unit shall be appointed for 4-year terms, except that upon expiration of terms of 3 members on June 30, 1971, 2 members shall be appointed for 1 year and 1 member shall be appointed for 3 years, and upon expiration of terms of 3 members on June 30, 1973, 1 member shall be appointed for 1 year. Members of present Bd. shall serve remainder of unexpired terms.

HOUSE

H 493 Legalizing bingo CARTERET
Introducers: Barker (by request of Mason) Sent to JUDIC 2

"Relating to the game of bingo in the County of Carteret." Permits civic, charitable or war veterans' organizations in Carteret County to sponsor or operate bingo if no cash prizes awarded.

H 495 Defrauding ambulance service IREDELL
Introducers: Huskins and A. Smith Sent to JUDIC 2

"To add Iredell County to G.S. 14-111.2, providing criminal penalties for defrauding suppliers of ambulance services." As title indicates.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 107 Liquor law revision (digested in Bulletin No. 17, p. 107)

Committee substitute adopted in Senate 3/24/71 provides: (1) ABC stores must close at 9 p.m. rather than 11 p.m., (2) ABC stores close on state-wide election days, (3) local ABC boards must make quarterly reports to State Bd. evidencing compliance with requirement that between 5% and 10% of revenues be spent on law enforcement, (4) maximum of 10% of revenues rather than 5% to be spent on education and research on alcoholism, (5) ABC officers to have arrest powers of general law enforcement officers, rather than just for Chapter 18 violations, (6) hours during which brown-bagging permitted shall be same as hours during which beer may be consumed (7 a.m.-1:30 a.m., 2:30 a.m. during daylight savings time), (7) beer and unfortified wines may be consumed until 2:30 a.m. during daylight saving time, (8) there shall not be permitted on licensed premises "any conduct or entertainment by nude performers or entertainers, or persons wearing transparent clothing or performances by any male or female performers simulating sexual acts or sexual activities with any person, object, device or other paraphernalia", and (9) technical clarifying amendments.

S 131 Rapid growth-small water systems (digested in Bulletin No. 23, p. 149)

Committee substitute adopted in Senate 3/24/71 makes clarifying changes in title, preamble and opening five lines of GS 130-161.1(b) to delete express references to necessity of substantial reduction in number of systems, control of rapid growth, and interconnections. Changes date for regulations requiring chlorination of water supplies to those introduced on or after Jan. 1, 1972 (originally July 1, 1971). Deletes paragraphs (5) and (6) of GS 130-161.1(b), relating to coordination with land use planning and neighboring water systems. Makes other clarifying and technical changes in savings clause and definitions.

S 194 Child placement sponsors (digested in Bulletin No. 34, p. 237)

Committee Substitute adopted in Senate 3/24/71 allows placement by parents or surviving parent or guardian (originally, only by county dep't of social services or licensed child placing agency), the prospective adoptive parents in such a case being required within five days to give written notice of parent's consent to County Director of Social Services of county in which they reside, the director being required to prepare report on suitability of placement (except when placement is with blood relation or with putative father). Directs report to be included with petition for adoption, giving court power to dismiss petition after review of preliminary report or order further investigation under GS 48-16. Makes act effective Sept. 1, 1971 (originally, upon ratification).

S 199 Landscape arch. grandfather (digested in Bulletin No. 35, p. 243)

Amendment adopted in Senate 3/24/71 changes effective date from December 31, 1971 to July 1, 1971, further extending grandfather clause for registration.

S 240 Welfare residence repeal (digested in Bulletin No. 39, p. 275)

Committee Substitute adopted in Senate 3/24/71 deletes repealer of GS 108-24(7) and substitutes in lieu thereof definition of resident of NC as person who has established domicile in NC (present GS 108-24(7) defines resident as person with one year's continuous residence in NC).

HOUSE BILLS

H 51 Open public meetings (digested in Bulletin No. 7, p. 39; Committee Substitute digested in Bulletin No. 47, p. 341; previous House amendments digested in Bulletin No. 50, p. 360)

Amendment adopted in House 3/24/71 makes punishment for violation of act imprisonment for not more than 30 days (six mos. in last version) or fine not exceeding \$250 (\$500 in last version).

H 61 Damages-unlawful timber cutting (digested in Bulletin No. 11, p. 63)

Amendments adopted in Senate 3/24/71 provide for recovery of reasonable attorney's fee only upon finding of unwarranted refusal by defendant to pay plaintiff's claim in action for damages for unlawfully cutting timber, for recovery of surveying fees, and for determination by court of certain fees and costs to be charged to defendant.

H 111 \$300 auto accident reports (digested in Bulletin No. 13, p. 85)

Amendment adopted in House 3/24/71 provide reports shall be made within 5 days of collision, rather than within 24 hours thereof.

H 232 Farm equipment width (digested in Bulletin No. 26, p. 172)

Amendment adopted in Senate 3/24/71 requires that vehicles covered by act must be preceded by a flagman where by the nature of terrain or obstacles, the flags on the vehicle itself are not visible from both directions for 300 feet.

ERRATA

The digest of an amendment to H 115 in Bulletin No. 48, p. 349 should read: Amendment adopted in House 3/19/71 makes technical changes and deletes Latin motto "esse quam videri" from horn.

SENATE AND HOUSE

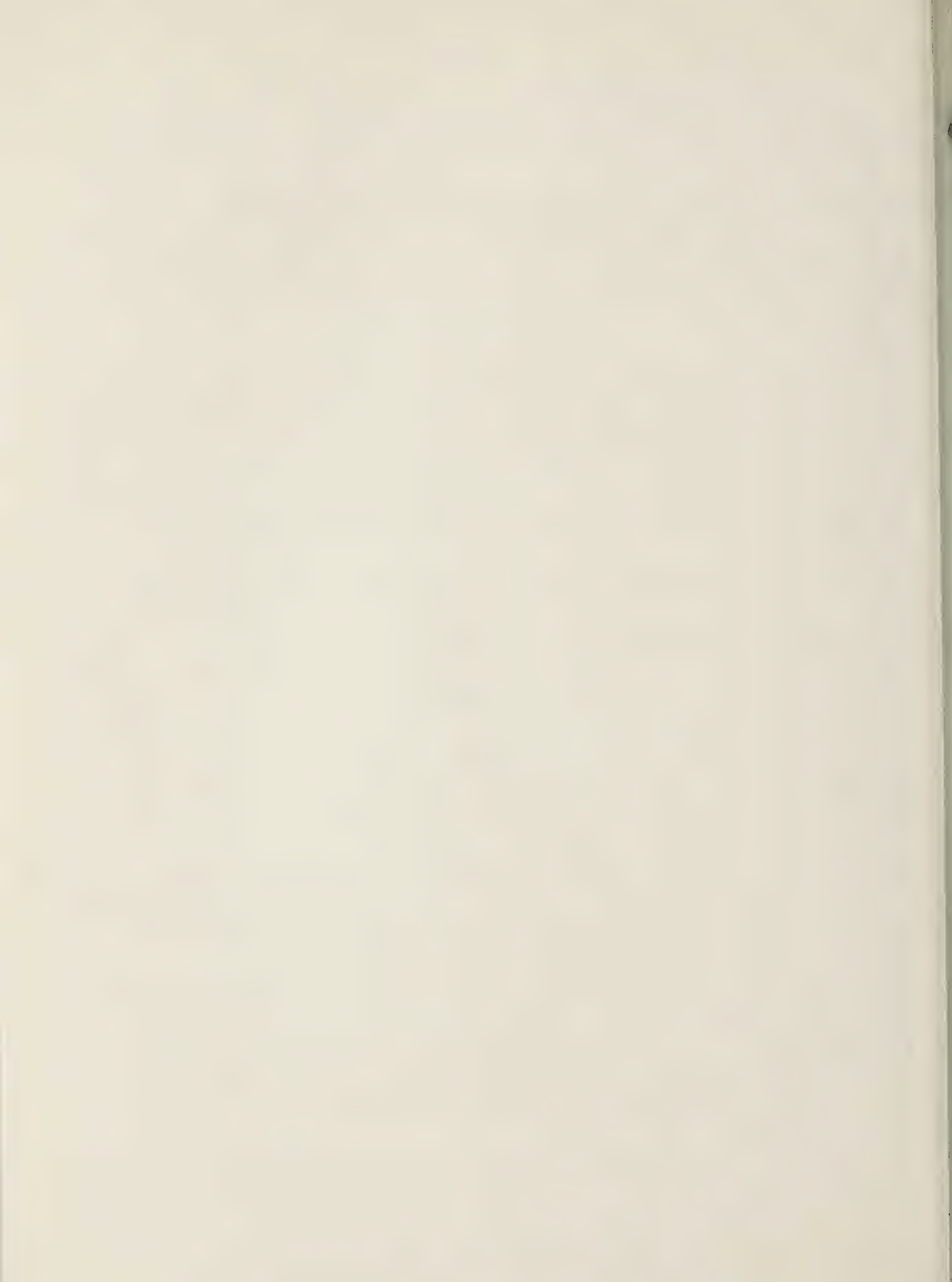
CALENDAR ACTION

MAR. 24, 1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 5 STATUTORY CONSTRUCTION. H-PASSED 2ND & 3RD READING.
S. 51 HIGHWAY LITTER FINE.(3/02, 3/22, 3/22, 3/23) S-REC TO CONCUR H AMENDS; S-CONCURRED IN H AMEND; S-PLACED ON CAL FOR MAR 26.
S. 93 CIVIL PROCEDURE REVISION. S-REPTD FAV AS AMENDED; S-PLACED ON CAL FOR MAR 30.
S. 107 LIQUOR LAW REVISION.(3/24) S-REP FAV COM SUB AS AMEND; S-COM SUBSTITUTE ADOPTED.
#S. 113 RIGHT OF WITHDRAWAL-STORED WATER.(3/19) RATIFIED CH. 111.
S. 123 FILING LEGITIMATION PETITIONS.(3/23) H-PASSED 2ND & 3RD READING.
S. 131 RAPID GROWTH-SMALL WATER SYSTEMS.(3/24) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED; S-PLACED ON CAL FOR MAR 30.
S. 148 NAMING STATE BUILDINGS. H-REPTD FAV AS AMENDED.
S. 167 REGIONAL WATER REVOLVING FUNDS. S-REPTD FAV; S-RE-REF COM ON APPROPN.
S. 168 REGIONAL WATER SUPPLY PLANNING. S-REPTD FAV; S-PLACED ON CAL FOR MAR 30.
S. 169 STATE STAFF APPROP.-REG'L WATER. S-REPTD FAV; S-RE-REF COM ON APPROPN.
S. 189 LANDSCAPE ARCHITECT CORPORATIONS. S-PASSED 2ND & 3RD READING.
#S. 193 ADOPTION CONSENT PROCEDURES. S-REPTD UNFAV.
S. 194 CHILD PLACEMENT SPONSORS.(3/24) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
S. 199 LANDSCAPE ARCH GRANDFATHER.(3/24) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
S. 232 RETIREMENT SYSTEM ADMINISTRATION. H-PASSED 2ND & 3RD READING.
S. 233 INCREASED RETIREMENT BENEFITS. H-PASSED 2ND & 3RD READING.
S. 234 SOUTHERN LATERAL SEAWARD BNDRY. S-REPTD FAV.
S. 235 NORTHERN LATERAL SEAWARD BNDRY. S-REPTD FAV.
S. 240 WELFARE RESIDENCE REPEAL.(3/24) S-REPTD FAV COM SUBSTITUTE; S-COM SUB ADOPTED.
S. 250 ALTERNATIVE REDEVELOPMENT PLAN. H-PASSED 2ND READING.
#S. 310 (J.RES.) HONORING HUDSON. RATIFIED RES. 33.
S. 315 (J.RES.) HONORING LWV. S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PASSED 2ND & 3RD READING.
S. 316 (J.RES.) HONORING ECSU BASKETBALL. S-PASSED 2ND & 3RD READING.
H. 18 \$1.60 MINIMUM WAGE.(3/02, 3/04) S-PLACED ON CAL FOR MAR 29.



DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
P. O. BOX 7294, RALEIGH, N. C.
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BULLETIN NO. 52

-371-

THURSDAY, MARCH 25, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 320 Tobacco research funds (Iden. H 500)
Introducer: Taylor

APPROPRIATION
Sent to APPROPRN

"To appropriate funds for the expansion and construction of buildings for storage and other purposes in connection with tobacco research at North Carolina State University." Identical with H 500, digested in Bulletin No. 51, p. 365.

S 321 Gaston fire-fighting money
Introducer: Rauch

APPROPRIATION
Sent to APPROPRN

"To make certain supplemental appropriations to the Department of Conservation and Development for forest fire control purposes." Appropriates \$4,542 for fiscal 1971 and \$4,320 for fiscal 1972 from general fund to Dep't of C and D for fire control in Gaston County, more particularly for salary and expenses of assistant county forest ranger. Effective July 1, 1972.

S 322 Eastern Sanatorium operations (Iden. H 514)
Introducer: Kirby

APPROPRIATION, GS 131
Sent to HIGHR ED

"To provide for utilization of the medical facilities at Eastern North Carolina Sanatorium." Identical to H 514, digested in House section of today's Bulletin.

S 323 Unconscionable contracts remedy
Introducers: Kirby and Strickland

GS 25
Sent to JUDIC 2

"To amend the Uniform Commercial Code, Chapter 25 of the General Statutes of North Carolina, so as to provide for the setting aside of unconscionable contracts or clauses of contracts." Adds new GS 25-2-302 authorizing court when as matter of law it finds any contract or clause of contract to have been unconscionable at time made to refuse to enforce contract, or enforce remainder without unconscionable clause, or to limit application of unconscionable clause to avoid unconscionable result. Directs court when it appears or is claimed that contract or clause may be unconscionable to afford parties reasonable opportunity to present evidence to its commercial setting, purpose and effect to aid court in making determination. Effective October 1, 1971 to transactions entered into and events occurring on and after that date.

S 324 Tax-sheltered annuities-2
Introducer: Currie

GS 105
Sent to FINANCE

"To exempt from income tax a portion of certain annuities purchased by charitable, etc., organizations or public schools." Identical with H 483, digested in Bulletin No. 48, p. 348, with following exceptions: 1) does not specifically exempt amount contributed



for employee of educational institution of NC or state or local gov't agency, and 2) provides exemption not to apply to amount contributed by employer pursuant to agreement to take reduction in salary or to forgo increase in salary. Effective January 1, 1971; applies to taxable years beginning on and after January 1, 1971.

S 325 Repaying savings & loan ass'n
Introducer: Currie

GS 54
Sent to BANKING

"Regarding the repayment of loans in savings and loan associations."

Amends GS 54-22 to provide that when a member of a savings and loan ass'n pays off a loan prior to maturity date of shares pledged as collateral for the loan, the interest shall be at the rate agreed upon in the note (now, interest is 6%).

S 326 Soybean & feed grain funding
Introducer: Wood

APPROPRIATION
Sent to AGRICULT

"To provide for research studies and extension education on breeding, culture, pest control, processing and improved seed quality in soybeans and feed grains."
Appropriates from general fund \$90,000 to NC Agricultural Experiment Station and \$82,400 to NC Agricultural Extension Service in each fiscal year of biennium, these funds to become part of continuing "A" Budget of these state agencies for general purpose of development through research and dissemination, through extension of knowledge of high performance varieties and cultural practices and improved disease and insect control techniques in production of soybeans and feed grains. Specifically funds to be allotted as follows:

<u>North Carolina Agricultural Experiment Station</u>	<u>1971-72</u>	<u>1972-73</u>
A. Soybean Breeding and Genetics	\$ 38,000	\$ 38,000
B. Soybean and Feed Grain Insect Control	21,000	21,000
C. Soybean and Feed Grain Culture	16,000	16,000
D. Soybean and Feed Grain Disease Control	12,000	12,000
E. Soybean Product Research	3,000	3,000
<u>North Carolina Agricultural Extension Service</u>		
A. Soybean on Farm Production Trials	\$ 25,000	\$ 25,000
B. Quality of Soybean and Feed Grain Seed	25,400	25,400
C. On-Farm Evaluation of Soybean Weed Control	10,000	10,000
D. Soybean and Feed Grain Insect Control	12,000	12,000
E. Soybean and Feed Grain Disease Control	10,000	10,000
<u>Grand Total</u>		
North Carolina Agricultural Experiment Station	\$ 90,000	\$ 90,000
North Carolina Agricultural Extension Service	82,400	82,400
	<u>\$172,400</u>	<u>\$172,400</u>

S 327 Local deer hunting change
Introducer: Harrington

GS 113
Sent to WILDLIFE

"To amend G.S. 113-104 so as to make certain deer hunting laws applicable to Bertie, Gates, Hertford, Martin and Northampton Counties." As title indicates, extends prohibition against taking deer by use of boat or floating device to listed counties.

S 328 Settling land titles
Introducer: Gudger

GS 1
Sent to JUDIC 1

"To further clarify land titles by extinguishing certain ancient mineral claims." Creates new GS 1-42.2 providing where public record shows fee simple title to oil, gas, or mineral interests in land has been severed from surface fee simple, and is not in actual course of being mined, drilled, worked, operated, or is in adverse possession of another, or record holder of such mineral interest has not listed same for ad valorem taxes for 10 yrs. prior to Jan. 1, 1971, then any person having capacity to own land, who has on Sept. 1, 1971, unbroken chain of title to surface estate for minimum of 50 yrs. (provided surface estate not in adverse possession of another), is deemed to have marketable title subject to interests inherent in limitations contained in muniments of such chain of title. Provides successor to take title free of such mineral interests executed or recorded at least 50 yrs. but not more than 56 yrs. prior to Sept. 1, 1971, and declares such interest null and void; provided that such mineral interest may be preserved by recording within 2 yrs. after Sept. 1, 1971, written notice pursuant to GS 47-1 (Officials of State authorized to take probate). Provides notice to be probated according to GS 47-14 and recorded in office of register of deeds of county wherein land located according to GS 1-42, stating name and address of claimant, name of surface owner, if known, and either description of area of land or incorporation by reference of recorded instrument containing reservation of such mineral interest. Provides notice may be made by claimant or by another acting in his behalf if he is under specified disability or one of a class whose identity cannot be established at time of filing. Includes interests of persons, whether within or without State, but excludes State and federal claims, and all claims by reason of unexpired oil, gas or mineral releases. Effective, Sept. 1, 1971.

S 329 Broadening DMV aircraft use
Introducer: Crawford

GS 20
Sent to HY SAFTY

"To amend G.S. 20-3.1 pertaining to use of aircraft by Department of Motor Vehicles." Rewrites GS 20-3.1 to prohibit Dep't of Motor Vehicles from purchasing additional airplanes without express authorization by General Assembly (now, Dep't prohibited from purchasing or using additional aircraft without authorization).

S 332 Excise stamp tax on conveyances
Introducer: Horton

GS 105
Sent to FINANCE

"To amend certain provisions of Article 8E of Chapter 105 of the North Carolina General Statutes relating to excise stamp tax on conveyances." Amends Ch. 105, Art. 8E (GS 105-228.28, -288.29, and -228.30) to make following changes: (1) banks and savings and loan institutions shall not be excluded from coverage of tax; (2) following transactions shall be taxable: (a) transfers of realty between corporation and its subsidiary, (b) transfer of realty by trustee, (c) transfer of realty accomplished by acquisition of corporate stock under certain circumstances; and (3) definition of "consideration" expanded to include any "thing or things of value. .as consideration in fact for the transfer".

HOUSE

H 507 (Joint Resolution) Kernersville Bicentennial
Introducers: McDaniel and others

MISC RES
Passed three readings
and sent to Senate

"Commemorating the bi-centennial of the town of Kernersville." As title indicates.

H 508 (Joint Resolution) Memorializing Bundy
Introducer: H. Rountree

MISC RES
Passed three readings
and sent to Senate

"Honoring the life and memory of Judge William J. Bundy, former Superior Court

Judge." As title indicates.

H 509 (Joint Resolution) Cotton loan rate concern
Introducers: Tart and others

MISC RES
Passed second reading

"Stating that the General Assembly of North Carolina is deeply concerned with the low cotton loan rate set by the Honorable Secretary of Agriculture for the United States and the United States Department of Agriculture for the 1971-72 growing season." Urges Sec'y of Agr. and US Dep't of Agr. to take necessary action to maintain per bale income of NC cotton farmers at level equal to that which would be received under gross weight method of pricing, and requests NC Congressional delegation offer assistance and encouragement to this end. Requires copies of resolution be sent to Sec'y of Agr. and NC representatives in House and Senate.

H 510 (Joint Resolution) Study Comm'n-12 Mo.
School Year
Introducers: Leatherman and others

APPROPRIATION, STUDY
Sent to EDUCATN

"Creating the Commission on Twelve Months School Year." Establishes 15 member commission to consider the feasibility of a 12 month term for NC public high schools, 5 members to be appointed by President of Senate, 5 members by Speaker of House, and 5 members by Governor; appointments to be made by July 1, 1971, or as soon thereafter as practicable. Provides vacancy to be filled by action of officer appointing former member, and that Comm'n to elect Chairman and other necessary officers from its membership. Requires Comm'n to file with Governor for transmittal to General Assembly by January 1, 1973, report of its findings, conclusions and recommendations, with proposed legislation, if any. Appropriated \$30,000 for comm'n expenses, authorizes employment of assistants, and permits requests for information from State dep'ts and agencies.

H 511 Wildcat protected
Introducers: Roberson and Burrus

GS 113
Sent to WILDLIFE

"To classify the wildcat as a protected animal under the terms of the North Carolina game law." Rewrites GS 113-102(c) to delete wildcats from unprotected animals section and to reclassify wildcat as a protected wild animal, repealing all conflicting legislation.

H 512 Time off to vote
Introducers: Bryan and others

GS 163
Sent to MFG LABR

"To require employers to give their employees time off on election days for the purpose of voting." Adds new GS 163-274(13) as title indicates.

H 513 State buildings in Raleigh
Introducers: Bryan and others

APPROPRIATION
Sent to ST GOVT

"To indemnify the City of Raleigh for services rendered the State." Requires Dir. of Administration on Sept. 1, 1972 and on Sept. 1 every 2nd year thereafter to determine approximate value of services furnished State by City of Raleigh during immediately preceding 2 fiscal yrs. which due to its exemption from city, county, and local taxes State does not pay city. Directs Director to recommend to Advisory Budget Commission an appropriation from General Fund to City of Raleigh in amount equal to value of such services. If biennial appropriations bill does not contain such appropriation provision, Director required to seek hearing before joint appropriations committee and request appropriation be made in full. Requires one-half said funds appropriated during each biennium be paid to Raleigh on July 1 of each fiscal year of biennium.

H 514 Eastern Sanatorium operations (Iden. S 322)
Introducer: Paschall

GS 131, APPROPRIATION
Sent to APPROPRN

"To provide for utilization of the medical facilities at Eastern North Carolina Sanatorium." Adds new GS 131-82.1 to authorize UNC Trustees to utilize facilities at Eastern NC Sanatorium as general medical facilities to be maintained and operated by UNC School of Medicine and to furnish, among others, the services of radiotherapy, neurology, hemodialysis, otolaryngology. Appropriates from General Fund \$1,474,628 for 1971-73 biennium (\$874,628 for operation and maintenance, \$600,000 for renovation and remodeling). Effective July 1, 1971.

H 515 More women as UNC trustees
Introducer: Paschall

GS 116
Sent to UNIV TR

"To increase the number of women on the Board of Trustees of the University of North Carolina." Increases number of women on UNC Bd. of Trustees from minimum of 10 to minimum of 15. Effective July 1, 1971.

H 516 NC Trail System Act
Introducers: Jones and others

GS 113, 100, 146
Sent to JUDIC 2

"To create a North Carolina trails system and to provide for the designation, acquisition, administration, and regulation of recreation, scenic and connecting or side trails and trail rights-of-way." Creates State system of recreation, scenic trails and connecting or side trails, and establishes uniform marker system to coordinate with national trail system. Provides Dep't of C & D may designate State recreation trails over lands upon finding that such trails are reasonably accessible to urban areas, or meet criteria established by this act and supplementary criteria as may be prescribed. Provides State scenic trails to be designated only by act of General Assembly, and so designates Appalachian and Art Loeb Trail. Provides federal regulations to prevail over State trail also designated as national trail. Provides for establishment of side trails upon making same findings required for establishing recreation trails. Provides Dep't to select rights-of-ways for trails and gives factors to be considered in selection. Requires publication in newspaper of general circulation in area of trail, and, after publication, Dep't may relocate segments of trail, upon determination that 1) such relocation is necessary to preserve purposes for which trail established, or 2) relocation is necessary to promote sound land management program in accordance with established multiple-use principles, provided substantial relocation of trail to be by act of General Assembly. Provides trails may contain campsites, shelter, and related-public-use facilities, and Dep't may permit other uses that will not substantially interfere with nature and purpose of trail. Requires reasonable efforts be made to provide sufficient access, and to avoid activities incompatible with purposes of trail. Prohibits use of motorized vehicles by general public along trail, and states nothing to be construed as authorizing use of motorized vehicles within natural and historical areas of State park system; provided Dep't may establish regulations permitting motorized vehicles for emergencies and enabling adjacent landowners to have reasonable access to their lands or timber rights. Provides Dep't may use lands for trail purposes within boundaries of areas under its administration that are included in rights-of-way selected for State recreation or scenic trail. Provides Dep't may acquire land from other State agencies, by written cooperative agreement, donation, purchase with donated or appropriated funds, or by the exercise of the power of eminent domain, provided that not more than 25 acres in any one mile may be acquired without consent of owner.

H 517 Mandatory sentence-firearm crimes
Introducers: McDaniels and others

GS 14
Sent to JUDIC 2

"Making prison terms mandatory for the use of firearms in the commission of crimes." Requires mandatory punishment for use of firearms in commission of felony or misdemeanor as follows: (1) any person who uses firearm to commit any misdemeanor which may be prosecuted in General Court of Justice shall in addition to punishment provided for such crime be sentenced for term of not more than 6 months for first offense, and not less than 2 years for second or subsequent offense (prohibits court in case of second or subsequent offense from suspending sentence, giving probationary sentence, or allowing offender to participate in work release, and provides term imposed under this section may not run concurrently with term of imprisonment for misdemeanor.) (2) Any person who uses firearm to commit any felony which may be prosecuted in General Court of Justice shall in addition to punishment provided for such crime be sentenced to imprisonment of not less than 1 nor more than 5 years for first offense, and not less than 10 yrs. for second or subsequent offense (for second or subsequent offense, suspended sentence, probation, work release, and concurrent sentences prohibited as above). Provides additional penalties prescribed for use of firearm to commit felony to apply where person uses firearm to commit first felony and later misdemeanor, or first misdemeanor and later felony.

LOCAL BILLS INTRODUCED

SENATE

S 330 Lumberton Mayor and Councilmen
Introducer: Britt

ROBESON
Sent to LOC GOVT

"To amend Chapter 115 of the Session Laws of 1963, as amended, to provide four-year overlapping terms of office for the Councilmen of the City of Lumberton and to provide four-year terms of office for the Mayor." Provides Lumberton City Councilmen must be qualified voter of and reside in ward or precinct he represents (now, must be qualified voter and reside in City of Lumberton). Provides for 4-year terms for Councilmen, staggered such that 4 (of 8 total) Councilmen elected biennially (now, 8 Councilmen elected biennially to 2-year terms). Provides 4-year term for Mayor (now, 2).

S 331 School property transfer
Introducer: Bingham

DAVIE
Sent to EDUCATN

"Authorizing the Davie County Board of Education to convey certain real property." Authorizes transfer, with or without consideration and at private sale, 1 described tract of land to Smith Grove Community Development Center, Inc., 1 tract to Farmington Community Ass'n, Inc., and 1 tract to Davie County Bd. of Comm's.

HOUSE

H 518 Authorizing fund investment
Introducers: Frye, Hunt, Payne, Phillips,
Short, and M. Smith

GUILFORD
Sent to LOC GOVT

"To authorize the Board of County Commissioners of Guilford County to invest certain funds." As title indicates, authorizes investment of funds formerly held by Domestic Relations Court. After 5 years from Dec. 1, 1968, all remaining funds in account to be placed in County's General Fund.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 107 (digested in Bulletin No. 17, p. 107; Committee Substitute digested in Bulletin No. 51, p. 366)

Amendment adopted in Senate 3/25/71 requires a county or municipal ABC Board to expend not less than 5% nor more than 10% of its total profits for education and **research** as to causes and effects of alcoholism (previous version required no expenditures for this purpose but authorized expenditures to same 10% upper limit).

S 148 Naming state buildings (Iden. H 240) (digested in Bulletin No. 26, p. 171)

Amendment adopted in House 3/25/71 provides that naming power shall extend only to new buildings or buildings hereafter acquired by State.

S 195 Livestock law rewrite (digested in Bulletin No. 34, p. 238)

Committee substitute adopted in Senate 3/25/71 makes following changes: (1) deletes "domestic fowls" from definition of livestock and adds new section providing that permitting of domestic fowls to run at large on lands of another that are under cultivation or used for garden shall be misdemeanor and permits sheriff upon order of magistrate to kill such fowls with his fowling piece, and (2) establishes detailed requirements for notice of sale and sale of unreedemed impounded livestock (bill provided sale be in accordance with GS 25-7-210(2)).

HOUSE BILLS

None

SENATE AND HOUSE

CALENDAR ACTION

MAR.25,1971

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PUBLIC BILLS

- #S. 5 STATUTORY CONSTRUCTION. RATIFIED CH. 115.
 S. 107 LIQUOR LAW REVISION.(3/24, 3/25) S-COM AMEND ADOPTED; S-FLOOR AMEND FAILED; S-PASSED 2ND READING; S-PLACED ON CAL FOR MAR 31.
 S. 148 NAMING STATE BUILDINGS.(3/25) H-COM AMEND ADOPTED; H-PASSED 2ND READING; H-PLACED ON CAL FOR MAR 30.
 S. 189 LANDSCAPE ARCHITECT CORPORATIONS. H-REC FROM SENATE; H-REF TO COM ON ST GOVT.
 S. 194 CHILD PLACEMENT SPONSORS.(3/24) S-PLACED ON CAL FOR MAR 30.
 S. 195 LIVESTOCK LAW REWRITE.(3/25) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
 S. 199 LANDSCAPE ARCH GRANDFATHER.(3/24) H-REC FROM SENATE; H-REF TO COM ON ST GOVT.
 #S. 200 ARREST WITHOUT WARRANT. S-REPTD UNFAV.
 S. 209 FREE OLDSTER FISH-HUNT LICENSE. S-REPTD FAV.
 #S. 232 RETIREMENT SYSTEM ADMINISTRATION. RATIFIED CH. 117.
 #S. 233 INCREASED RETIREMENT BENEFITS. RATIFIED CH. 118.
 S. 234 SOUTHERN LATERAL SEAWARD BNDRY. S-PASSED 2ND & 3RD READING.
 S. 235 NORTHERN LATERAL SEAWARD BNDRY. S-PASSED 2ND & 3RD READING.
 S. 239 COUNTY SOCIAL SERVICES BOARD PAY. H-REPTD FAV.
 S. 240 WELFARE RESIDENCE REPEAL.(3/24) S-PLACED ON CAL FOR MAR 30.
 S. 244 NONRES HUNTING LICENSE PROCEEDS. S-REPTD FAV AS AMENDED.
 S. 250 ALTERNATIVE REDEVELOPMENT PLAN. H-PASSED 3RD READING.
 S. 256 REMOVING OVER-AGE STUDENTS. S-REPTD FAV.
 #S. 268 VALIDATE MARITAL CONTRACTS-2. S-REPTD UNFAV.
 S. 295 WILDLIFE RESOURCES DISTRICTS. S-REPTD FAV.
 #S. 315 (J.RES.) HONORING LWV. RATIFIED RES. 34.
 S. 316 (J.RES.) HONORING ECSU BASKETBALL. H-REC FROM SENATE; H-PASSED 2ND & 3RD READING.
 S. 326 SOYBEAN & FEED GRAIN FUNDING. S-REF TO COM ON AGRICULT.
 H. 51 OPEN PUBLIC MEETINGS.(3/18, 3/23, 3/24) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.
 H. 61 DAMAGES-UNLAWFUL TIMBER CUTTING.(1/28, 2/03, 3/24) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
 H. 78 WORTHLESS CHECK LAW.(3/09, 3/25) H-REPTD FAV COM SUB #2; H-COM SUB #2 ADOPTED.
 H. 144 LIQUOR AT POLITICAL TALKS. S-REC FROM HOUSE; S-REF TO COM ON ABC.

- H. 212 ADOPTION OF ABANDONED CHILDREN. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
- H. 232 FARM EQUIPMENT WIDTH.(3/04, 3/04, 3/05, 3/24) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- H. 295 PROBATIONARY DRIVERS' LICENSES.(3/15) S-PASSED 2ND & 3RD READING.
- H. 297 FISHING IN MULTI-STATE LAKES. S-REPTD FAV.
- H. 303 SHOPLIFTING ARREST LIABILITY. H-REPTD FAV AS AMENDED; H-PLACED ON CAL FOR MAR 30.
- H. 345 LIABILITY OF THIRD PARTY.(3/24) H-PASSED 2ND & 3RD READING.
- H. 361 ANTIQUE,HISTORIC WEAPONS. S-REPTD FAV.
- H. 369 MEDICAL CARE HOSPITAL GRANTS. S-REPTD FAV.
- #H. 381 NASH HIGHWAY HUNTING. H-REPTD UNFAV.
- H. 403 SIGNING SUBPOENAS. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
- H. 408 HEALTH BD. ALTERNATES. S-REPTD FAV.
- H. 417 GS 1A,1B REPLACEMENT VOLUMES. S-REPTD FAV.
- H. 427 NO GARNISHMENT,BLIND FUNDS. H-REPTD FAV.
- H. 429 BLIND RELIEF,REINVESTIGATION. H-REPTD FAV.
- H. 447 AMBULANCE ATTENDANTS. H-REPTD FAV AS AMENDED; H-PLACED ON CAL FOR MAR 30.
- H. 448 VITAL STATISTICS CHANGES. H-REPTD FAV; H-PLACED ON CAL FOR MAR 30.
- H. 459 AID-TO-BLIND,ELIGIBILITY. H-REPTD FAV.
- H. 463 IMMUNIZATION OF CHILDREN. H-REPTD FAV; H-PLACED ON CAL FOR MAR 30.
- H. 467 JONES COUNTY-HUNTING ON HIGHWAYS. H-REPTD FAV.
- H. 474 NASH COUNTY-HUNTING ON HIGHWAYS. H-REPTD FAV.
- H. 489 REPEAL G.S. CHAPTER 3. H-REPTD FAV.
- H. 502 ENTICING SERVANT LAW REPEALED. H-REPTD FAV.
- H. 507 (J.RES.) KERNERSVILLE BICENTENNIAL. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.
- H. 508 (J.RES.) MEMORIALIZING BUNDY. H-PASSED 2ND & 3RD READING.
- H. 509 (J.RES.) COTTON LOAN RATE CONCERN. H-PASSED 2ND READING.

LOCAL BILLS

- S. 164 (GUILFORD) GUILFORD SCHOOL BOARD. S-REPTD FAV; S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-REF TO COM ON EDUCATN.
- S. 197 (WAKE) COUNTY BICENTENNIAL.(3/09) H-REPTD FAV.
- S. 226 (FORSYTH) WINSTON-SALEM BY-PRODUCTS. H-REPTD FAV.
- S. 231 (STANLY) ALBEMARLE ASSESSMENTS. H-REPTD FAV.
- S. 237 (DAVIDSON) FIREMEN RETIREMENT-LEXINGTON.(3/16) H-REPTD FAV.
- S. 253 (PERSON) AMBULANCE SERVICE PAYMENTS. H-REPTD FAV.
- S. 254 (PAMLICO) EMINENT DOMAIN-LANDFILLS. H-REPTD FAV.

- H. 19 (ORANGE) MASTER FORM MORTGAGES. S-REC FROM HOUSE; H-REF TO COM ON JUDIC 1.
- H. 72 (ORANGE) CHAPEL HILL-CARRBORO ED. BD.. S-REPTD FAV.
- H. 246 (STANLY) STANLY FOX HUNTING.(3/25) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 251 (BEAUFORT) BEAUFORT GAME HUNTING. S-REPTD FAV.

- H. 292 (COLUMBUS) WHITEVILLE BOARD OF EDUCATION. S-REPTD FAV.
- H. 355 (WASHINGTON) AMBULANCE SERVICE LIENS. S-REPTD FAV.
- H. 387 (SCOTLAND) WAGRAM BEER AND WINE. S-REC FROM HOUSE; S-REF TO
COM ON ABC.
- H. 399 (BEAUFORT) MIGRATORY FOWL. H-REPTD FAV.
- H. 401 (WASHINGTON) BOBCAT HUNTING LIMITS. H-REPTD FAV AS AMENDED.
- H. 413 (ALAMANCE) WOUND REPORTS BY HOSPITALS. H-REPTD FAV.
- H. 426 (BEAUFORT) AUTO REMOVAL LIENS, WASHINGTON. H-REPTD FAV.
- H. 443 (YADKIN) COUNTY COMM'R NOMINATIONS. H-REPTD FAV.
- H. 453 (PASQUOTANK) COUNTY TAX LISTING. H-REPTD FAV.
- H. 456 (BLADEN) REPEAL COUNTY BONDSMEN LAW. H-REPTD FAV.
- H. 471 (ROBESON) SCHOOL MERGER ELECTION. H-REPTD FAV.
- H. 472 (MECKLENBURG) FREEING CHARLOTTE POLICE CARS. H-REPTD FAV.
- H. 485 (GREENE) SCHOOL BD ELECTION-1. H-PASSED 2ND & 3RD READING.
- H. 486 (LENOIR) SCHOOL BD ELECTION-2. H-PASSED 2ND & 3RD READING.

Next Sessions of Senate and House: 10:00 a.m., Friday, March 26, 1971.

- #H. 34 STATE AIRPORT AID.(2/24) S-FAILED 2ND READING.
- #H. 47 STATUTORY CONSTRUCTION. H-POSTPONED INDEF.
- H. 51 OPEN PUBLIC MEETINGS.(3/18, 3/23, 3/24) H-FLOOR AMEND ADOPTED; H-FLOOR AMEND TABLED; H-PASSED 3RD READING.
- H. 61 DAMAGES-UNLAWFUL TIMBER CUTTING.(1/28, 2/03, 3/24) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- H. 111 \$300 AUTO ACCIDENT REPORTS.(3/24) H-COM AMEND ADOPTED; H-POSTPONED TO APR 7.
- H. 144 LIQUOR AT POLITICAL TALKS. H-PASSED 2ND & 3RD READING.
- H. 212 ADOPTION OF ABANDONED CHILDREN. H-PASSED 2ND & 3RD READING.
- H. 216 TEACHER SICK LEAVE-2. H-REPTD FAV AS AMENDED; H-RE-REF COM ON APPROPN.
- #H. 217 TEACHER VACATION. H-REPTD UNFAV.
- H. 232 FARM EQUIPMENT WIDTH.(3/04, 3/04, 3/05, 3/24) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- H. 240 NAMING STATE BUILDINGS. H-REPTD FAV AS AMENDED.
- H. 295 PROBATIONARY DRIVERS' LICENSES.(3/15) S-REPTD FAV.
- H. 336 TEACHER VACATION-2. H-REPTD FAV AS AMENDED; H-RE-REF COM ON APPROPN.
- H. 339 CHEMICAL TEST REFUSAL REVOCATION-2. H-RE-REF COM ON HY SAFTY.
- H. 345 LIABILITY OF THIRD PARTY.(3/24) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 348 TEACHER HOLIDAYS. H-REPTD FAV AS AMENDED; H-RE-REF COM ON APPROPN.
- H. 384 LIBRARIES-ADDITIONAL FUNDS. H-REPTD FAV; H-RE-REF COM ON APPROPN.
- H. 403 SIGNING SUBPOENAS. H-PASSED 2ND & 3RD READING.
- H. 449 SCHOOL BUS STOP CHANGES. H-RE-REF COM ON HY SAFTY.

LOCAL BILLS

- S. 253 (PERSON) AMBULANCE SERVICE PAYMENTS. H-REC FROM SENATE; H-REF TO COM ON JUDIC 2.
- H. 19 (ORANGE) MASTER FORM MORTGAGES. H-PASSED 2ND & 3RD READING.
- #H. 280 (ROCKINGHAM) MADISON RETIREMENT. RATIFIED CH. 112.
- #H. 352 (WAYNE) FREMONT ALDERMEN'S TERMS. RATIFIED CH. 113.
- #H. 367 (YADKIN) COUNTY PROPERTY SALE. RATIFIED CH. 114.
- H. 387 (SCOTLAND) WAGRAM BEER AND WINE. H-PASSED 2ND & 3RD READING.
- H. 485 (GREENE) SCHOOL BD ELECTION-1. H-REPTD FAV.
- H. 486 (LENOIR) SCHOOL BD ELECTION-2. H-REPTD FAV.

ERRATA

This page was inadvertently omitted from yesterday's Daily Bulletin. It is the final page of the Calendar Section of Bulletin No. 51.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 53

-383-

FRIDAY, MARCH 26, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 333 Nat'l Guard duty-min. pay (Iden. H 521)
Introducers: Frink and others

GS 127
Sent to VETERANS

"To amend G.S. 127-79 to provide that the daily minimum pay of any officer or enlisted man of the National Guard while on State duty shall be twelve times the minimum hourly wage." Identical with H 521, digested in House section of today's Bulletin.

S 334 Workmen's Comp.-employee death-2
Introducer: Staton

GS 97
Sent to MFG LABR

"To amend G.S. 97-61.6 relating to compensation for death of an employee with asbestosis or silicosis." Amends GS 97-61.6 to provide that employee entitled to compensation for death from any cause if death occurs within 2 years from date of last exposure to conditions causing asbestosis or silicosis (now, employee entitled to compensation only if death results from asbestosis or silicosis). Effective July 1, 1971; applies to cases originating after July 1, 1971.

S 335 Tort claims-State liability
Introducers: Staton and Folger

GS 143
Sent to MFG LABR

"To amend the State Tort Claim Act regarding the place of hearing and the amount of liability of the State." Amends GS 143-291 by increasing maximum possible amount of damages from \$15,000 to \$20,000 in claims against State. Amends GS 143-297 to add provision that Industrial Comm'n may direct actions be heard other than in county where injury occurred (now, limited to where injury occurred unless parties agree otherwise). Effective July 1, 1971 but not applicable to claims arising before then.

S 336 Workmen's Comp.-security funds
Introducers: Staton and Folger

GS 97
Sent to MFG LABR

"To amend G.S. 97-113 and G.S. 97-114 relating to the payment of workmen's compensation benefits by the Stock Workmen's Compensation Security Fund and the Mutual Workmen's Compensation Security Fund." Amends GS 97-113(a) and (b) by deleting certain words ("compensation" or "death") so that the sections will conform to each other in their language. Similarly amends GS 97-114 to conform to GS 97-113.



S 337 Workmen's Comp.-employee death-1
Intorducers: Staton and Folger

GS 97
Sent to MFG LABR

"To amend G.S. 97-37 relating to the payment of compensation when an employee dies before total compensation is paid." Amends GS 97-37 requirement that, upon death of employee, benefits be paid to "personal representative and Second Injury Fund as provided in the article" by deleting words "and Second Injury Fund as provided in the article."

S 338 Wound reports by physicians-2
Introducer: McGeachy

GS 90
Sent to JUDIC 2

"To require physicians to report violent wounds to law enforcement officials." Requires physicians attending persons known or suspected to be injured by acts of violence to report wounds to law enforcement officers of city or county in which person is being attended. Physician making such report in good faith given immunity from criminal or civil prosecution. Violation of act a misdemeanor. Expressly repeals Ch. 4, S L 1971 (S 6, digested in Bull. No. 1, p. 2-wound report act limited to New Hanover County by amendment to S 6 Committee Substitute both digested in Bulletin No. 13, p. 87). For similar bill see S 165, digested in Bulletin No. 28, p. 187.

S 339 Women's educ. and employment study (Iden. H 522)
Introducer: Currie

APPROPRIATION, STUDY
Sent to APPROPN

"Appropriating funds for the continuation of the North Carolina Commission on the Education and Employment of Women and for a special study and report of the 1970 census statistics by the Commission." Identical with H 522, digested in the House section of today's Bulletin.

S 342 Aycock Historic Site (Iden. H 519)
Introducer: Strickland

APPROPRIATION
Sent to APPROPN

"To appropriate funds for the Charles B. Aycock State Historic Site." Identical with H 519, digested in the House section of today's Bulletin.

HOUSE

H 519 Aycock Historic Site (Iden. S 342)
Introducers: Kemp and Chase

APPROPRIATION
Sent to APPROPN

"To appropriate funds for the Charles B. Aycock Historic Site." Appropriates from General Fund to NC Dep't of Archives and History for fiscal 1972-73 \$9,858 for use at Aycock Site. Appropriates from General Fund to same Dep't sum of \$13,000, subject to raising additional \$2,500 by Aycock Memorial Comm'n., for designated uses at Aycock Site. Effective July 1, 1971.

H 521 Nat'l Guard-State duty-min. pay (Iden. S 333)
Introducers: DeBruhl and Bumgardner

GS 127
Sent to MILITARY

"To amend G.S. 127-79 to provide that the daily minimum pay of any officer or enlisted man of the National Guard while on State duty shall be twelve times the minimum hourly wage." Amends and rewrites GS 127-79 to provide that minimum daily pay of officers or enlisted men ordered to duty by Governor be not less than 12 times minimum hourly wage (presently \$1.25 as set by GS 95-87) (now, GS 127-79 fixes minimum wages of officers and enlisted men at \$8.00 per day).

H 522 Women's educ. & employment study (Iden. S 339) APPROPRIATION, STUDY
Introducers: Chase and Odom Sent to APPROPN

"Appropriating funds for the continuation of the North Carolina Commission on the Education and Employment of Women and for a special study and report of the 1970 census statistics by the Commission." Appropriates from General Fund to NC Commission on the Education and Employment of Women \$8,500 for 1971-73 biennium to provide office, travel and subsistence expenses incurred in performing duties.

H 524 Tax-sheltered annuities-3 GS 105
Introducers: Auman and others Sent to ST PERS

"To authorize the purchase of annuity contracts for State employees, and to authorize deferred compensation plans." Authorizes NC State employers and employees (as defined by Federal Internal Revenue Code and in bill) to enter into contract to (a) reduce employees' salaries to purchase nonforfeitable annuity or retirement income contracts for employees' benefits, and (b) defer receipt of portion of employees' ensuing annual salaries (if income so deferred is not constructively received by employees in year earned, for federal tax purposes) to purchase annuity or retirement income contracts or mutual fund shares. Provides that, upon entering contract as in (a) or (b), employees forfeit right to receive amount of salary reductions in any way except by annuity or retirement income contracts or mutual fund shares, and that funds used to purchase said rights shall not be in lieu of amounts earned by employees before electing salary reductions. Provides for pay-roll deductions, and for rules and procedures to be adopted by employers.

H 528 Driver point reduction-clinic GS 20
Introducers: Short and others Sent to HY SAFTY

"To amend G.S. 20-16(c) to allow persons accumulating 3 points against their driving record to attend driver improvement clinic and have such points deducted provided that only one deduction may be made within any 5 year period." Authorizes clinic as title indicates for persons accumulating 3 or more points.

LOCAL BILLS INTRODUCED

S 340 Authorizing deputy sheriffs CHEROKEE
Introducer: Killian Sent to LOC GOVT

"To provide deputy sheriffs and jailer for Cherokee County." Notwithstanding Art. 6A, Ch. 153 of General Statutes, Sheriff of Cherokee County authorized to hire 4 deputies to be paid \$400 per month, and to continue to pay \$100 per month for services of jailer. Authorizes Sheriff to assign deputies duties as jailer during such hours as he designates.

S 341 Sheriff's Dep't operations TRANSYLVANIA
Introducer: Killian Sent to LOC GOVT

"To amend Chapter 922 of the Session Laws of 1969 concerning the number, salary, equipment, expenses and training of the members of the Sheriff's Department of Transylvania County." Repeals SL 1969, Ch. 922, sections 5, 6, 7, 8, 9, 10, 11, and 12 which set salaries, govern other aspects of Dep't and require basic law enforcement training.

HOUSE

H 520 Board of Education pay
Introducers: Penton and G. Rountree
NEW HANOVER
Sent to LOC GOVT

"To amend Chapter 391 of the 1963 Session Laws to increase the compensation of the chairman and members of the New Hanover Board of Education." Amends Sec. 4 of named Ch. to set salary of chairman at \$250 per month (now, \$50) and salary of other members at \$200 per month (now, \$40). Makes increase retroactive to April 1, 1971.

H 523 Graysburg-officials & elections
Introducers: Martin and R. Jernigan
NORTHAMPTON
Postponed indefinitely

"To appoint the governing body of the Town of Graysburg, Northampton County, and to require the holding of elections." Appoints mayor and five commissioners; fixes their term of office; and requires first regular town election.

H 525 Coats ABC profits allocation
Introducers: Arnold and Love
HARNETT
Sent to LOC GOVT

"To redesignate the recipient of twenty-five percent of the Coats ABC profits." Makes recipient of such profits the "Coats Recreation Committee" instead of "Harnett County Public Library."

H 526 Eminent domain broadened
Introducers: Frye, Hunt, Payne, Phillips,
Short, and M. Smith
GUILFORD
Sent to LOC GOVT

"To amend G.S. 153-9(57) to add county office buildings and sanitary landfills to the purposes for which Guilford County may exercise the power of eminent domain." As title indicates.

H 527 Charlotte's Masonic Temple
Introducers: Volger, Beatty, Campbell, Cobb,
Foley, Hicks and Lawing
MECKLENBURG
Passed second and third readings

"To amend Section 2 of Chapter 73 of the Private Laws of North Carolina, Session 1869-70, being an act to incorporate the Masonic Temple Association of the City of Charlotte." Amends charter of Charlotte Masonic Temple with respect to manner of filling vacancies in corporation.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 244 Nonres. hunting license proceeds (digested in Bulletin No. 40, p. 283)
Technical amendment adopted in Senate 3/26/71.

HOUSE BILLS

None

SENATE AND HOUSE

CALENDAR ACTION

MAR. 26, 1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 51 HIGHWAY LITTER FINE.(3/02, 3/22, 3/22, 3/23) S-PLACED ON CAL FOR MAR 30.
S. 123 FILING LEGITIMATION PETITIONS.(3/23) S-REC TO CONCUR IN COM SUB; S-REF TO COM ON JUDIC 1.
S. 195 LIVESTOCK LAW REWRITE.(3/25) S-PLACED ON CAL FOR MAR 29.
S. 209 FREE OLDSTER FISH-HUNT LICENSE. S-PASSED 2ND & 3RD READING.
S. 234 SOUTHERN LATERAL SEAWARD BNDRY. H-REC FROM SENATE; H-REF TO COM ON CONS&DEV.
S. 235 NORTHERN LATERAL SEAWARD BNDRY. H-REC FROM SENATE; H-REF TO COM ON CONS&DEV.
S. 239 COUNTY SOCIAL SERVICES BOARD PAY. H-PASSED 2ND & 3RD READING.
S. 244 NONRES HUNTING LICENSE PROCEEDS.(3/26) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
#S. 250 ALTERNATIVE REDEVELOPMENT PLAN. RATIFIED CH. 116.
S. 256 REMOVING OVER-AGE STUDENTS. S-PASSED 2ND & 3RD READING.
S. 295 WILDLIFE RESOURCES DISTRICTS. S-PASSED 2ND & 3RD READING.
#S. 316 (J.RES.) HONORING ECSU BASKETBALL. RATIFIED RES. 35.
#H. 61 DAMAGES-UNLAWFUL TIMBER CUTTING.(1/28, 2/03, 3/24) RATIFIED CH. 119.
H. 78 WORTHLESS CHECK LAW.(3/09, 3/25) H-PASSED 2ND & 3RD READING.
#H. 295 PROBATIONARY DRIVERS' LICENSES.(3/15) RATIFIED CH. 120.
H. 297 FISHING IN MULTI-STATE LAKES. S-PASSED 2ND & 3RD READING.
H. 345 LIABILITY OF THIRD PARTY.(3/24) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
H. 347 ABOLISHMENT OF CORONER.(3/26) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
H. 361 ANTIQUE, HISTORIC WEAPONS. S-PASSED 2ND & 3RD READING.
H. 369 MEDICAL CARE HOSPITAL GRANTS. S-PASSED 2ND & 3RD READING.
H. 408 HEALTH BD. ALTERNATES. S-PLACED ON CAL FOR MAR 31.
H. 417 GS 1A, 1B REPLACEMENT VOLUMES. S-PASSED 2ND & 3RD READING.
H. 427 NO GARNISHMENT, BLIND FUNDS. H-PASSED 2ND & 3RD READING.
H. 429 BLIND RELIEF, REINVESTIGATION. H-PASSED 2ND & 3RD READING.
H. 459 AID-TO-BLIND, ELIGIBILITY. H-PASSED 2ND & 3RD READING.
H. 474 NASH COUNTY-HUNTING ON HIGHWAYS. H-PASSED 2ND & 3RD READING.
H. 489 REPEAL G.S. CHAPTER 3. H-PASSED 2ND & 3RD READING.
H. 502 ENTICING SERVANT LAW REPEALED. H-PASSED 2ND & 3RD READING.
#H. 507 (J.RES.) KERNERSVILLE BICENTENNIAL. RATIFIED RES. 36.

- H. 508 (J.RES.) MEMORIALIZING BUNDY. S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.
H. 509 (J.RES.) COTTON LOAN RATE CONCERN. H-PASSED 3RD READING.

LOCAL BILLS

- S. 164 (GUILFORD) GUILFORD SCHOOL BOARD. H-REPTD FAV.
S. 197 (WAKE) COUNTY BICENTENNIAL.(3/09) H-PASSED 2ND READING.
S. 226 (FORSYTH) WINSTON-SALEM BY-PRODUCTS. H-PASSED 2ND & 3RD READING.
S. 231 (STANLY) ALBEMARLE ASSESSMENTS. H-PASSED 2ND & 3RD READING.
S. 237 (DAVIDSON) FIREMEN RETIREMENT-LEXINGTON.(3/16) H-PASSED 2ND & 3RD READING.
S. 253 (PERSON) AMBULANCE SERVICE PAYMENTS. H-PASSED 2ND & 3RD READING.
S. 254 (PAMLICO) EMINENT DOMAIN-LANDFILLS. H-PASSED 2ND & 3RD READING.
- H. 72 (ORANGE) CHAPEL HILL-CARRBORO ED. BD.. S-PASSED 2ND & 3RD READING.
H. 246 (STANLY) STANLY FOX HUNTING.(3/25) H-PASSED 2ND & 3RD READING.
H. 251 (BEAUFORT) BEAUFORT GAME HUNTING. S-PASSED 2ND & 3RD READING.
H. 292 (COLUMBUS) WHITEVILLE BOARD OF EDUCATION. S-PASSED 2ND & 3RD READING.
H. 355 (WASHINGTON) AMBULANCE SERVICE LIENS. S-PASSED 2ND & 3RD READING.
H. 399 (BEAUFORT) MIGRATORY FOWL. H-PASSED 2ND & 3RD READING.
H. 401 (WASHINGTON) BOBCAT HUNTING LIMITS.(3/26) H-COM AMENDS ADOPTED; H-PASSED 2ND & 3RD READING.
H. 413 (ALAMANCE) WOUND REPORTS BY HOSPITALS. H-POSTPONED TO APR 1.
H. 426 (BEAUFORT) AUTO REMOVAL LIENS, WASHINGTON. H-PASSED 2ND READING.
H. 441 (CLEVELAND) INCORPORATING POLKVILLE. H-REPTD FAV AS AMENDED.
H. 443 (YADKIN) COUNTY COMM'R NOMINATIONS. H-PASSED 2ND & 3RD READING.
H. 453 (PASQUOTANK) COUNTY TAX LISTING. H-PASSED 2ND & 3RD READING.
H. 456 (BLADEN) REPEAL COUNTY BONDSMEN LAW. H-PASSED 2ND & 3RD READING.
H. 471 (ROBESON) SCHOOL MERGER ELECTION. H-PASSED 2ND & 3RD READING.
H. 472 (MECKLENBURG) FREEING CHARLOTTE POLICE CARS. H-PASSED 2ND & 3RD READING.
H. 485 (GREENE) SCHOOL BD ELECTION-1. S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
H. 486 (LENOIR) SCHOOL BD ELECTION-2. S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
#H. 523 (NORTHAMPTON) GRAYSBURG-OFFICIALS & ELECTIONS. H-REF TO COM ON LOC GOVT; H-RECALLED FROM COM; H-POSTPONED INDEF.
H. 527 (MECKLENBURG) CHARLOTTE'S MASONIC TEMPLE. H-PASSED 2ND & 3RD READING.

Next Sessions of Senate and House:

9:00 a.m., Saturday, March 27, 1971; 8:00 p.m., Monday,
March 29, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 54

-389-

MONDAY, MARCH 29, 1971

Note: The Senate convened at 9:30 a.m. and the House at 10:00 a.m. on Saturday, March 27, 1971, for consideration of local bills only. No bills were introduced and no calendar action was taken in either Chamber.

PUBLIC BILLS INTRODUCED

SENATE

S 343 Bunker Hill Bridge funds
Introducers: Combs and Joyner

APPROPRIATION
Sent to APPROPRN

"To appropriate funds for the access to and maintenance of Bunker Hill Covered Bridge in Catawba County." Appropriates \$2,300 for the fiscal year 1971-72 and \$2,300 for the fiscal year 1972-73 to the State Dep't of Archives and History for the restoration and preservation of and access paths to the Bunker Hill Covered Bridge, in Catawba County.

HOUSE

H 529 (Joint Resolution) Hailing Boys' Club Week
Introducer: H. Rountree

MISC RES
Passed three readings
and sent to Senate

"Recognizing March 28 to April 3 as Boys' Club Week of North Carolina." As title indicates.

H 530 (Joint Resolution) Hail Heels, Devils, CD
Introducer: R. Jones

MISC RES
Passed three readings
and sent to Senate

"Commending the basketball achievements of the University of North Carolina at Chapel Hill, Duke University, and Wake Forest University." As title indicates.

H 531 Family court services-100,000
Introducer: Barker

GS 7A
Sent to COURTS

"To amend G.S. 7A-134 to provide for family court services in any district court district having a population of 100,000 or more." Permits establishment of special counselor services for domestic and juvenile cases in district court districts having a population of 100,000 or more in addition to (now) district court districts having a county with population of 85,000 or more.

H 532 Contractor license changes
Introducers: S. Johnson and others

GS 87
Sent to JUDIC 1

"To amend Article 1 of Chapter 87 to raise the amount of work for which a contractor's license is required from \$20,000.00 to \$30,000.00, to clarify the



expiration date of the license and the application of the Act to State Highway Commission contracts and to provide reciprocity." Amends GS 87-1 to alter definition of general contractor to which licensing provisions apply to extend to persons undertaking jobs costing \$30,000 or more (now, \$20,000). Amends GS 87-9 to delete reference to US Sec'y of Agriculture as administrator of Federal Highway Act. Amends GS 87-10 to make expiration date of licenses Dec. 31 (now, Dec. 1) following date of issuance and eliminates proviso making section inapplicable to contracts of State Highway Comm'n. Amends GS 87-14 to require showing of license before obtaining a building permit where cost of project is \$30,000 or more (now, \$20,000). Adds new GS 87-15.1 to permit reciprocity for licensing of general contractors to other states having similar licensing provisions.

H 533 Franklin magistrates
Introducer: Speed

GS 7A
Sent to COURTS

"To amend G.S. 7A-133 as it relates to Franklin County." Amends GS 7A-133 to increase maximum number of magistrates in Franklin County from four to five (minimum remains three).

H 534 Alimony defenses
Introducer: J. C. Johnson

GS 50
Sent to JUDIC 1

"To amend G.S. 50-16.6 relating to defenses to the payment of alimony." Amends GS 50-16.6 making excessive use of alcohol or drugs additional defense to alimony or alimony pendente lite. (Now, only defense is adultery.) Effective July 1, 1971.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

None

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

None

HOUSE BILLS

H 18 \$1.60 minimum wage (original bill digested in Bulletin No. 2, p. 11; House Committee Substitute digested in Bulletin No. 35, p. 249)
Committee Substitute amended in Senate 3/29/71 to make act inapplicable to part-time employees working 16 hrs. a week or less if the place at which they work has three or less full-time employees at any one time.

SENATE AND HOUSE

CALENDAR ACTION

MAR. 29, 1971

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 195 LIVESTOCK LAW REWRITE.(3/25) S-PASSED 2ND & 3RD READING.
 S. 209 FREE OLDSTER FISH-HUNT LICENSE. H-REC FROM SENATE; H-REF TO COM ON WILDLIFE.
 #S. 239 COUNTY SOCIAL SERVICES BOARD PAY. RATIFIED CH. 124.
 S. 244 NONRES HUNTING LICENSE PROCEEDS.(3/26) H-REC FROM SENATE; H-REF TO COM ON WILDLIFE.
 S. 256 REMOVING OVER-AGE STUDENTS. H-REC FROM SENATE; H-REF TO COM ON EDUCATN.
 S. 293 ARCHAEOLOGICAL SALVAGE-HIGHWAYS. S-REPTD FAV AS AMENDED.
 S. 295 WILDLIFE RESOURCES DISTRICTS. H-REC FROM SENATE; H-REF TO COM ON WILDLIFE.
 S. 299 POWELL BILL FUNDS. S-REPTD FAV AS AMENDED.
 H. 18 \$1.60 MINIMUM WAGE.(3/02, 3/04, 3/29) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
 H. 78 WORTHLESS CHECK LAW.(3/09, 3/25) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.
 #H. 232 FARM EQUIPMENT WIDTH.(3/04, 3/04, 3/05, 3/24) RATIFIED CH. 128.
 #H. 297 FISHING IN MULTI-STATE LAKES. RATIFIED CH. 131.
 H. 347 ABOLISHMENT OF CORONER.(3/26) H-POSTPONED TO MARCH 30.
 #H. 361 ANTIQUE,HISTORIC WEAPONS. RATIFIED CH. 133.
 #H. 369 MEDICAL CARE HOSPITAL GRANTS. RATIFIED CH. 134.
 #H. 417 GS 1A,1B REPLACEMENT VOLUMES. RATIFIED CH. 135.
 H. 427 NO GARNISHMENT,BLIND FUNDS. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
 H. 429 BLIND RELIEF,REINVESTIGATION. S-REC FROM HOUSE; S-REF TO COM ON INTER GOVT.
 H. 459 AID-TO-BLIND,ELIGIBILITY. S-REC FROM HOUSE; S-REF TO COM ON INTER GOVT.
 H. 467 JONES COUNTY-HUNTING ON HIGHWAYS. H-POSTPONED TO APRIL 5.
 H. 474 NASH COUNTY-HUNTING ON HIGHWAYS. S-REC FROM HOUSE; S-REF TO COM ON WILDLIFE.
 H. 489 REPEAL G.S. CHAPTER 3. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
 H. 502 ENTICING SERVANT LAW REPEALED. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
 #H. 508 (J.RES.) MEMORIALIZING BUNDY. RATIFIED RES. 37.

- H. 509 (J.RES.) COTTON LOAN RATE CONCERN. S-REC FROM HOUSE; S-REF TO COM ON AGRICULT.
- H. 529 (J.RES.) HAILING BOYS CLUB WEEK. H-PASSED 2ND & 3RD READING; S-PASSED 2ND & 3RD READING.
- H. 530 (J.RES.) HAIL HEELS, DEVILS, CD. H-PASSED 2ND & 3RD READING; S-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 164 (GUILFORD) GUILFORD SCHOOL BOARD. H-PASSED 2ND & 3RD READING.
- S. 176 (BRUNSWICK) OCEAN ISLE TAX LIMIT REPEAL. S-REPTD FAV.
- S. 197 (WAKE) COUNTY BICENTENNIAL.(3/09) H-PASSED 3RD READING.
- #S. 226 (FORSYTH) WINSTON-SALEM BY-PRODUCTS. RATIFIED CH. 121.
- #S. 231 (STANLY) ALBEMARLE ASSESSMENTS. RATIFIED CH. 122.
- #S. 237 (DAVIDSON) FIREMEN RETIREMENT-LEXINGTON.(3/16) RATIFIED CH. 123.
- #S. 253 (PERSON) AMBULANCE SERVICE PAYMENTS. RATIFIED CH. 125.
- #S. 254 (PAMLICO) EMINENT DOMAIN-LANDFILLS. RATIFIED CH. 126.
- S. 260 (LENOIR) KINSTON REALTY SALES. S-REPTD FAV AS AMENDED.
- S. 305 (GUILFORD) COUNTY OFFICERS-BONDS. S-REPTD FAV.
- S. 307 (GUILFORD) MORE BINGO PERMITTED. S-REPTD FAV.
- #H. 72 (ORANGE) CHAPEL HILL-CARRBORO ED. BD.. RATIFIED CH. 127.
- H. 227 (MARTIN) JAMESVILLE AD VALOREM TAX. S-REPTD FAV.
- H. 246 (STANLY) STANLY FOX HUNTING.(3/25) S-REC FROM HOUSE; S-REF TO COM ON WILDLIFE.
- #H. 251 (BEAUFORT) BEAUFORT GAME HUNTING. RATIFIED CH. 129.
- #H. 292 (COLUMBUS) WHITEVILLE BOARD OF EDUCATION. RATIFIED CH. 130.
- #H. 355 (WASHINGTON) AMBULANCE SERVICE LIENS. RATIFIED CH. 132.
- H. 358 (CHEROKEE) MURPHY TOWN COUNCIL.(3/15) S-REPTD FAV.
- H. 364 (MECKLENBURG) CHARLOTTE MAYOR'S VOTE.(3/15) S-REPTD FAV.
- H. 376 (BERTIE) WINDSOR SPECIAL ASSESSMENTS. S-REPTD FAV.
- H. 383 (PASQUOTANK) COUNTY TAX COLLECTOR. S-REPTD FAV.
- H. 386 (WILKES) WILKESBORO TAX DISCOUNTS. S-REPTD FAV.
- H. 399 (BEAUFORT) MIGRATORY FOWL. S-REC FROM HOUSE; S-REF TO COM ON WILDLIFE.
- H. 401 (WASHINGTON) BOBCAT HUNTING LIMITS.(3/26) S-REC FROM HOUSE; S-REF TO COM ON WILDLIFE.
- H. 404 (ORANGE) HILLSBOROUGH POLICE JURISDICTION. S-REPTD FAV.
- H. 426 (BEAUFORT) AUTO REMOVAL LIENS, WASHINGTON. H-PASSED 3RD READING.
- H. 441 (CLEVELAND) INCORPORATING POLKVILLE.(3/29) H-COM AMEND ADOPTED; H-PASSED 2ND READING.
- H. 443 (YADKIN) COUNTY COMM'R NOMINATIONS. S-REC FROM HOUSE; H-REF TO COM ON LOC GOVT.
- H. 452 (RUTHERFORD) SPINDALE TOWN LIMITS.(3/19) S-REPTD FAV.
- H. 453 (PASQUOTANK) COUNTY TAX LISTING. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 456 (BLADEN) REPEAL COUNTY BONDSMEN LAW. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 471 (ROBESON) SCHOOL MERGER ELECTION. S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
- H. 472 (MECKLENBURG) FREEING CHARLOTTE POLICE CARS. S-REC FROM HOUSE; S-REF TO COM ON CORRECTN.
- H. 527 (MECKLENBURG) CHARLOTTE'S MASONIC TEMPLE. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 55

-393-

TUESDAY, MARCH 30, 1971

PUBLIC BILLS INTRODUCED

SENATE

None

HOUSE

H 535 Shooting or throwing at vehicles
Introducers: Harris and Long

GS 14
Sent to JUDIC 2

"To amend Chapter 14 of the General Statutes by adding a new section prohibiting shooting or throwing at vehicles, aircraft, watercraft or any building or structure while occupied. Violation misdemeanor." Adds new GS 14-34.3 as title indicates; violation punishable by fine up to \$500, imprisonment up to 6 months, or both.

H 537 Pre-arrest breath test
Introducer: M. Smith

GS 20
Sent to JUDIC 2

"To authorize law enforcement officers to require preliminary tests of breath to determine alcoholic content prior to arrest, excluding such preliminary test results from use as evidence." Adds new GS 20-16.3 authorizing law enforcement officer to request any motor vehicle operator involved in accident or who has violated any provision of GS Ch. 20, Article 3, Part 10 ("Operation of Vehicles and Rules of the Road") or whom the officer has reasonable cause to suspect to be under the influence of intoxicating liquor to submit to chemical test of his breath to determine whether alcohol exists in his blood in sufficient quantity to warrant further testing. Permits operator to refuse to submit to test, with no penalty to attach by reason of the refusal. Bars admission of results of test in any criminal or civil action. Makes provisions of act supplemental to GS 20-16.2 (implied consent law) and does not limit authority of law enforcement officers granted therein. Effective September 1, 1971.

H 538 Driver license revocation-chases-2
Introducer: Twiggs

GS 20
Sent to HY SAFETY

"To provide for permanent revocation of driving privileges upon conviction of operating a motor vehicle in excess of 25 miles per hour in an attempt to avoid apprehension by a law enforcement officer." Adds new GS 20-141.4 making fleeing apprehension in excess of 25 miles per hour above posted speed limit a misdemeanor punishable by fine up to \$500 or imprisonment up to 6 months or both. Adds new subsection to GS 20-17 providing permanent revocation of license of operator or chauffeur fleeing arrest as described in proposed GS 20-141.4. Effective January 1, 1972.



None

- S 39 Presidential primary election (Iden. H 65; digested in Bulletin No. 8, p. 48).
Committee Substitute adopted in Senate 3/30/71 directs State Board of Elections beginning with 1972 primary to nominate those to be listed as presidential primary candidates (originally, done by committee especially established for that purpose), permitting names to be added to list by filing with Board within 15 days of its listing petition signed by 10,000 registered voters of party of candidate, containing letter of approval by candidate and name of and address of chairman of group organized to circulate petition (originally, petition to be submitted within 30 days of committee's listing, and to contain signatures of qualified voters equal to at least two percent of total number of votes cast for President in each congressional district in last election; no mention being made of candidate's letter or names and

addresses of chairmen). Requires petitioning group to pay chairman of county bd. of elections for county in which signatures obtained five cents for each signature that bill now requires him to certify (new). Directs Board of Elections (originally, Sec. of State) to contact each candidate it lists and within 15 days receive notice of candidacy and \$500 filing fee; petition candidates being exempted from these requirements (originally, only required the \$500 fee and no exemption made for petition candidates). Restricts voters in primary to those registering party affiliation (new section) and eliminates no preference vote which would result in uncommitted delegates. Allocates delegate votes among top four finishers in primary (originally, top three) so long as each receives at least 10% of vote in primary. Removes requirements in original bill that delegates sign pledge to vote according to primary results on first ballot, that Sec. of State certify names of delegates and alternates to credentials committee of national convention, and that failure of delegate to vote according to primary results on first ballot is misdemeanor.

S 49 Service of process on sheriff (digested in Bulletin No. 9, p. 53; amendment digested in Bulletin No. 14, p. 91)

Committee Substitute adopted in House 3/30/71 is identical with original bill except that service of process under GS 162-16 and GS 1-313 which were to be made by a person appointed by the clerk of court can be made by the clerk or by someone he appoints.

S 131 Rapid growth-small water systems (digested in Bulletin No. 23, p. 149, Committee Substitute digested in Bulletin No. 51, p. 366)

Amendment adopted in Senate 3/30/71 to require treatment of all public water supplies by a method of "disinfection" approved by the State Bd. of Health (originally, required "chlorination").

S 230 Gasoline advertising (digested in Bulletin No. 39, p. 276)

Committee Substitute adopted in Senate 3/30/71 rewrites bill to provide that service stations offering gas at one price for self-service and another price for service by station may advertise price of any grade of gas provided that the advertising clearly indicates whether the price is based on self-service or service by station. Deletes provisions that stations must advertise prices and that largest sign may not display self-service price unless sign clearly indicates that price is based on self-service.

S 260 Kinston realty sales (digested in Bulletin No. 42, p. 305)

Technical amendment adopted in Senate 3/30/71.

S 299 Powell Bill funds (digested in Bulletin No. 48, p. 345)

Technical amendments adopted in Senate 3/30/71.

HOUSE BILLS

H 210 Slow vehicle reflectors (digested in Bulletin No. 23, p. 152)

Amendments adopted in House 3/30/71 provide: (1) that violation of act shall not be considered a moving violation or negligence per se, (2) act shall be applicable to vehicles of maximum potential speed of 25 mph "or less" (adds quoted words) and (3) effective date of act shall be Oct. 1 rather than July 1, 1971.

H 303 Shoplifting arrest liability (digested in Bulletin No. 31, p. 213)

Amendment adopted in House 3/30/71 provides act shall not apply to pending litigation.

SEX

NO

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PUBLIC BILLS

- S. 29 OBSCENITY ACT.(3/30) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
 S. 39 PRESIDENTIAL PRIMARY ELECTION.(3/30) S-REP FAV COM SUB AS AMEND; S-COM SUB ADOPTED.
 S. 49 SERVICE OF PROCESS ON SHERIFF.(2/01, 3/30) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
 S. 51 HIGHWAY LITTER FINE.(3/02, 3/22, 3/22, 3/23) S-PLACED ON CAL FOR APR 2.
 S. 93 CIVIL PROCEDURE REVISION. S-PLACED ON CAL FOR MAR 31.
 S. 131 RAPID GROWTH-SMALL WATER SYSTEMS.(3/24, 3/30) S-FLOOR AMEND ADOPTED; S-PASSED 2ND READING; S-PLACED ON CAL FOR APR 1.
 #S. 136 OBSCENITY ACT-2. S-REPTD UNFAV.
 S. 144 CLARIFY SIGNALS LAW.(3/10) H-RECALLED FROM COM; H-RE-REF COM ON JUDIC 2.
 S. 148 NAMING STATE BUILDINGS.(3/25) H-PASSED 3RD READING.
 S. 168 REGIONAL WATER SUPPLY PLANNING. S-PASSED 2ND & 3RD READING.
 S. 194 CHILD PLACEMENT SPONSORS.(3/24) S-PLACED ON CAL FOR APR 1.
 S. 195 LIVESTOCK LAW REWRITE.(3/25) H-REC FROM SENATE; H-REF TO COM ON AGRICULT.
 S. 230 GASOLINE ADVERTISING.(3/30) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
 #S. 240 WELFARE RESIDENCE REPEAL.(3/24) S-FAILED 2ND READING.
 S. 242 MEDICAL REVIEW NOTICE:DRIVER LIC. H-REPTD FAV.
 S. 279 WORKMEN'S COMP.-PRISONERS. S-REPTD FAV.
 S. 280 WORKMEN'S COMP.-RADIATION WORKERS. S-REPTD FAV.
 S. 281 WORKMEN'S COMP.-TOTAL DISABILITY. S-REPTD FAV.
 S. 293 ARCHAEOLOGICAL SALVAGE-HIGHWAYS. S-PLACED ON CAL FOR MAR 31.
 S. 299 POWELL BILL FUNDS.(3/30) S-COM AMEND ADOPTED; S-PASSED 2ND READING.

 H. 18 \$1.60 MINIMUM WAGE.(3/02, 3/04, 3/29) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
 #H. 37 18 YEAR OLD MAJORITY. H-REPTD UNFAV.
 #H. 77 TRASH ON HIGHWAY PRESUMPTION.(3/09) H-REPTD UNFAV.
 #H. 79 SCHOOL DISTURBERS. H-REPTD UNFAV.
 #H. 113 OPEN PUBLIC MEETINGS-2. H-REPTD FAV.
 H. 197 (J.RES.) ENCOURAGE CORRECTIONAL REFORM. S-REPTD FAV.
 H. 210 SLOW VEHICLE REFLECTORS.(3/30, 3/30) H-COM AMENDS ADOPTED; H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING.

- #H. 239 DRIVING LICENSE REVOCATION-CHASES. H-REPTD UNFAV.
- #H. 240 NAMING STATE BUILDINGS. H-POSTPONED INDEF.
- H. 303 SHOPLIFTING ARREST LIABILITY.(3/30) H-COM AMEND ADOPTED;
H-PASSED 2ND READING.
- H. 315 TOWED VEHICLES FIRMLY ATTACHED. H-REPTD FAV.
- H. 347 ABOLISHMENT OF CORONER.(3/26) H-POSTPONED TO APR 6.
- H. 370 REALTY BROKERS-UNEMPLOYMENT INS.. H-PASSED 2ND & 3RD READING.
- H. 442 WORKING PRISONERS REPEALER. H-REPTD FAV.
- H. 447 AMBULANCE ATTENDANTS. H-POSTPONED TO APR 7.
- H. 448 VITAL STATISTICS CHANGES. H-POSTPONED TO APR 7.
- H. 463 IMMUNIZATION OF CHILDREN. H-PASSED 2ND & 3RD READING.
- H. 470 AUTO INSPECTION REQUIREMENTS. H-REPTD FAV AS AMENDED.
- H. 499 DANGEROUS WEAPONS AT SCHOOLS. H-REPTD FAV.
- H. 503 ENTICING SEAMEN LAW REPEALED. H-REPTD FAV.
- H. 504 SECRETING SEAMEN LAW REPEALED. H-REPTD FAV.
- H. 505 SEAMEN SEARCH WARRANTS REPEALED. H-REPTD FAV.
- H. 506 SEAMEN CASE APPEALS ABOLISHED. H-REPTD FAV.
- H. 509 (J.RES.) COTTON LOAN RATE CONCERN. S-RECALLED FROM COM;
S-PLACED ON CAL; S-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 176 (BRUNSWICK) OCEAN ISLE TAX LIMIT REPEAL. S-PASSED 2ND
READING.
- S. 260 (LENOIR) KINSTON REALTY SALES.(3/30) S-COM AMEND ADOPTED;
S-PASSED 2ND READING.
- S. 270 (ASHE) WEST JEFFERSON ABC STORES. S-REPTD FAV.
- S. 305 (GUILFORD) COUNTY OFFICERS-BONDS. S-PASSED 2ND & 3RD READING.
- S. 307 (GUILFORD) MORE BINGO PERMITTED. S-PASSED 2ND & 3RD READING.

- H. 35 (CHOWAN) COUNTY ABC ENFORCEMENT. S-REPTD FAV.
- H. 161 (HARNETT) ANGIER LIQUOR STORE ALLOCATION.(2/22) S-REPTD FAV.
- H. 227 (MARTIN) JAMESVILLE AD VALOREM TAX. S-PASSED 2ND READING.
- H. 358 (CHEROKEE) MURPHY TOWN COUNCIL.(3/15) S-PASSED 2ND & 3RD
READING.
- H. 364 (MECKLENBURG) CHARLOTTE MAYOR'S VOTE.(3/15) S-PASSED 2ND &
3RD READING.
- H. 376 (BERTIE) WINDSOR SPECIAL ASSESSMENTS. S-PASSED 2ND READING.
- H. 383 (PASQUOTANK) COUNTY TAX COLLECTOR. S-PASSED 2ND & 3RD
READING.
- H. 386 (WILKES) WILKESBORO TAX DISCOUNTS. S-PASSED 2ND READING.
- H. 404 (ORANGE) HILLSBOROUGH POLICE JURISDICTION. S-PASSED 2ND &
3RD READING.
- H. 426 (BEAUFORT) AUTO REMOVAL LIENS, WASHINGTON. S-REC FROM HOUSE;
S-REF TO COM ON LOC GOVT.
- H. 441 (CLEVELAND) INCORPORATING POLKVILLE.(3/29) H-PASSED 3RD
READING.
- H. 452 (RUTHERFORD) SPINDALE TOWN LIMITS.(3/19) S-PASSED 2ND
READING.
- H. 495 (IREDELL) DEFRAUDING AMBULANCE SERVICE. H-REPTD FAV.

DAILY BULLETIN

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BULLETIN NO. 56

-399-

WEDNESDAY, MARCH 31, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 344 Medical examiner jurisdiction
Introducers: Harris and Burney

GS 130
Sent to PUB HLTH

"To amend G.S. 130-199 to clarify the jurisdiction of county medical examiners when injury occurs in one county and death occurs in another county." Adds to GS 130-199 provision that when deceased sustains cause of death in one county but death occurs in another county, medical examiner of county in which death occurred shall notify the medical examiner and coroner of the other county and they shall have the responsibility for investigating the cause and manner of death in those instances within their respective authority. Requires medical examiner of county where death occurred to cooperate with officials of other county in making investigation. Authorizes medical examiners in all cases to go into any county where death or cause of death occurred in order to make necessary investigation, and chief medical examiner to assign medical examiners of one county to another county in cases of emergency or necessity.

S 345 (Joint Resolution) Requesting pardon for Calley
Introducers: Frink and Kirby

MISC RES
Sent to VETERANS

"Opposing the conviction of Lieutenant William L. Calley, Jr., and requesting the President of the United States to grant him pardon." As title indicates.

S 346 State employees-travel allowances (Iden. H 543)
Introducers: Bailey and others

GS 138, APPROPRIATION
Sent to APPROPRN

"Relating to travel and subsistence allowance of State employees."
Identical with H 543, digested in the House section of today's Bulletin.

S 347 State employees-salaries (Iden. H 542)
Introducers: Bailey and others

APPROPRIATION
Sent to APPROPRN

"To appropriate sufficient funds to provide a 10.3% salary increase for State employees for the fiscal year 1971-72 and an additional 5% salary increase for the fiscal year 1972-73." Identical with H 542, digested in the House section of today's Bulletin.

S 348 Automobile manslaughter
Introducers: Gudger and Burney

GS 14, 20
Sent to JUDIC 2

"Creating the offense of negligent manslaughter and prescribing its punishment." Adds new GS 20-172 creating offense of negligent manslaughter punishable



by fine or imprisonment up to 2 years when a person negligently and unintentionally proximately causes the death of another person by operating a motor vehicle upon a street or highway, or where prohibited upon the driveway of a private institution unlawfully and in violation of any one or more of the following statutory prohibitions: (1) while under the influence of intoxicating liquor or narcotic drug, GS 20-138 or GS 20-139, (2) in a dangerous and reckless manner, GS 20-140 or GS 20-141.1, (3) at a speed in excess of any limit set by GS 20-141(b) or posted by authority of GS 20-141(d), (4) in unlawful racing, GS 20-141.3, (5) by overtaking and passing another vehicle, GS 20-150, (6) by failing to stop and yield right-of-way, GS 20-158, (7) through a safety zone, GS 20-160, (8) in the wrong direction upon a one-way street, GS 20-165.1, and (9) by failing to stop when approaching a stopped school, church or Sunday school bus, GS 20-217.

Provides that negligent manslaughter shall be a lesser included offense in any indictment of manslaughter, voluntary or involuntary, where the death occurs in or as result of motor vehicle collision or overturn and it shall not be necessary that indictment specify cause of death. Act not to prohibit submission of issue of guilt or innocence of negligent manslaughter charge on separate indictment, separate count, or separate warrant specifying traffic offense charge and alleging specifically elements of manslaughter. If accused is tried upon separate indictment, separate count, or warrant charging negligent manslaughter and specifying traffic offense charged, trial court may submit to jury an issue of guilt or innocence on lesser included traffic offense upon proper instructions. Provides no prior disposition of any traffic violation charge, nor any plea, verdict or judgment entered in any hearing thereon to constitute prior jeopardy or bar subsequent trial of accused upon a charge of manslaughter or negligent manslaughter of which the traffic violation is an essential element; that no evidence of prior disposition, plea, verdict or judgment to be competent or admissible for any purpose in subsequent trial of accused on manslaughter or negligent manslaughter charge. Repeals GS 14-19 ("Punishment for second offense for manslaughter"). Effective July 1, 1971.

S 353 Posting criminal trial calendar
Introducers: Gudger and Burney

GS 7A
Sent to COURTS

"To amend the law regarding time for posting calendar for criminal trial session." Amends GS 7A-49.3(a) to require filing of calendar of criminal cases no less than 5 days before opening day of superior court session (now, filing time is at least 1 week before opening day). Provides that any case docketed after calendar is filed may be placed on calendar by solicitor but only for indictment, arraignment and hearing of pre-trial motions. Effective July 1, 1971.

HOUSE

H 542 State employees-salaries (Iden. S 347)
Introducers: S. Johnson and others

APPROPRIATION
Sent to APPROPN

"To appropriate sufficient funds to provide a 10.3% salary increase for state employees for the fiscal year 1971-72 and an additional 5% salary increase for the fiscal year 1972-73." Appropriates from General Fund \$27,406,519 for fiscal 1971-72 and \$41,257,615 for fiscal 1972-73 for a 10.3% salary increase for 1971-72 and a 5% salary increase for 1972-73 for permanent State employees subject to State Personnel Act, for administrative staff employees of court system whose salaries are not fixed by statute, for county clerks of NC State Agricultural Extension Service, for Ports Authority staff exempt from State Personnel Act, and for the following public school employees:

clerical assistants, property and cost clerks, attendance counselors, clerks in schools, janitors and maids, and bus drivers and mechanics. Appropriates from Highway Fund \$12,011,911 for fiscal 1971-2 and \$17,876,030 for fiscal 1972-3 for a 10.3% salary increase for 1971-2 and a 5% salary increase for 1972-3 for permanent Highway Fund employees subject to State Personnel Act. Act to apply to salaries paid from special funds and non-tax sources if funds made available from operations or sponsoring agents. Salary increases not to affect merit or automatic salary increments. Salary ranges for all employees under Personnel Act shall be increased, (as to maximum) by an amount equal to increases provided for in Act, so that after increases every employee will continue to have same relative position with respect to salary increases and future increments as he would have had if salary increases provided in act had not been made. Unexpended balance of appropriations to be transferred to appropriations for Salary Adjustments of State Employees. Effective July 1, 1971.

H 543 State employees-travel allowances (Iden. S 346) GS 138, APPROPRIATION
Introducers: S. Johnson and others Sent to APPROPN

"Relating to travel and subsistence allowance of State employees." Rewrites GS 138-6(a) to provide reimbursement to State employees of 11¢ per mile (now 9¢) for use of privately owned automobile, and to provide subsistence allowance of \$18 per day for travel in-State (now \$15) and \$22 per day for out-of-state (now \$18). Makes conforming change in GS 138-7. Effective July 1, 1971.

H 544 Protecting river deer, Bladen GS 113, 14
Introducer: Green Sent to WILDLIFE

"To prevent facilitation of the unlawful taking of deer with the aid of boats by means of placing a restriction upon the possession of firearms aboard motor-propelled vessels in the Cape Fear River in Bladen County." Makes it misdemeanor (maximum \$50 or 30 days or both) for person aboard motor-propelled vessel on Cape Fear River in Bladen County to have firearm in possession during open season for taking deer, or to permit another to have possession of firearm. Authorizes law enforcement officers of Wildlife Resources Comm'n to enforce act. Defines "motor propelled vessel" to exclude outboard motorboat whose motor is stored on vessel.

H 545 Cosmetic art examiners-salary GS 88
Introducers: Andrews and L. Ramsey Sent to STATE PERS

"To provide that the salaries of the Executive Secretary and inspectors of the Board of Cosmetic Art Examiners be set under the provisions of the State Personnel Act." As title indicates, amends GS 88-14 and -15 (salaries now set by Board with approval Director of Budget). Also makes some change with respect to salaries of Cosmetic Board members.

H 546 Tax exemption-National Guard pay GS 105
Introducer: Whichard (by request) Sent to FINANCE

"To amend G.S. 105-141(b) to exempt from taxation certain compensation paid to National Guardsmen." Adds new subsection (17) to GS 105-141(b) excluding from gross income for purposes of State income tax up to \$1,000 paid as compensation for NC Nat'l Guard active duty for training (but not for duty other than active duty for training, and regularly scheduled drills). Effective for income years beginning on or after Jan. 1, 1972.

H 547 Restoring Wright Tavern
Introducers: McMichael and Webster

APPROPRIATION
Sent to APPROPN

"To appropriate funds for the restoration of the Wright Tavern in Rockingham County." Appropriates \$40,000 to Dep't of Archives and History for 1971-73 biennium for continued assistance in restoration of Wright Tavern, subject to criteria of Historic Sites Advisory Committee as required by GS 143-31.2 and GS 121-8.2.

H 548 Child abuse reporting
Introducers: Speed and others

GS 110, 8, and 14
Sent to JUDIC 1

"To protect children through reporting cases of child abuse and neglect to the county director of social services." Establishes comprehensive procedures for reporting and investigating cases of child abuse. Defines abused child as one less than 16 years old whose parent or person responsible for his care inflicts or allows to be inflicted serious physical injury or disfigurement upon the child or creates or allows to be created a substantial risk of such injury, or commits or allows to be committed any sex act prohibited by law. Requires doctors and other professional persons (including medical professionals, law enforcement and school officials, and social workers) to report cases of child abuse to county director of social services and district court. Permits hospitals, clinics, and similar facilities to retain custody of abused children in cases they believe advisable until a district court makes determination that child should be detained or released. Upon receiving report of child abuse, director of social services shall have report investigated within 24 hours of receipt. Upon investigation, director may remove child or other children from home or from custody of guardian by invoking juvenile jurisdiction of district court, or may offer services of his office to protect child or other children, or may refer case to solicitor for prosecution, or may find no abuse and have report removed from Central Registry. Central Registry of reports of child abuse to be established by State Dep't of Social Services. Persons making report of child abuse or otherwise furnishing information shall be immune from civil or criminal liability unless they acted with malice and without probable cause. Doctor-patient and husband-wife privileges not grounds for evidence of child abuse or neglect and GS 8-53.1 rewritten and GS 8-57.1 added to so provide. GS 14-318.2 and -318.3 repealed and GS 14-318.4 added to make offense of child abuse, or neglect and assault and battery punishable by imprisonment for not less than 1 nor more than 60 years.

H 549 (Joint Resolution) Memorializing Young
Introducers: J. J. Johnson and Frye

MISC RES
Passed three readings
and sent to Senate

"Honoring the late Whitney M. Young, Jr." As title indicates.

H 550 (Joint Resolution) Honoring Broyhill
Introducers: Holshouser, Kinkaid, Fulton
and Bostian

MISC RES
Passed three readings
and sent to Senate

"Honoring J. E. Broyhill." As title indicates.

H 551 Liquor in public schools
Introducer: Barbee

GS 14, 115
Sent to JUDIC 2

"Prohibiting the carrying of intoxicating liquors onto public school grounds." Adds new GS 14-332.1, making transporting intoxicating drinks or liquor into buildings or grounds of any public or private elementary school, junior high school, or high school, or its possession thereon, a misdemeanor punishable by fine up to \$500, imprisonment up to 6 months, or both.

LOCAL BILLS INTRODUCED

SENATE

S 349 ABC stores-Dobson
Introducer: Folger

SURRY
Sent to ABC

"Authorizing the establishment of a town liquor control store in the Town of Dobson and providing for the allocation of the net proceeds from the operation of such store." Authorizes Dobson Board of Commissioners on its own motion or upon receipt of petition from 15% of voters in town to call special election on establishment of liquor control store, and by same procedures after three years from last election to call election to determine whether store shall be established or, if store was previously approved, whether it shall continue in operation (a negative vote requiring closing of store and sale of all property within three months). Establishes board of alcoholic control consisting of three members to be chosen by mayor and governing body of town and to serve three-year staggered terms, if liquor store approved in election. Grants board powers of GS 18-45 except for allocation of profits, which are to be distributed quarterly as follows: 70% to Town General Fund, 20% to Town law enforcement, 10% to Town parks and recreation.

S 350 ABC election-Elkin
Introducer: Folger

SURRY
Sent to ABC

"To amend Chapter 806 Session Laws of 1965 relating to ABC elections in the Town of Elkin." Adds to SL 1965, Ch. 806, Sec. 2 (authorizing ABC election in Elkin) provision that subsequent elections may be held so long as no election is held within three years of last such election. Amends Sec. 4 to provide Elkin ABC Board not to be bound by provisions of GS 18-45(15) (expenditures for law enforcement and for education and research as to the causes and effects of alcoholism). Rewrites Sec. 5 to distribute ABC profits as follows: 55% to Town's General Fund; 17% to Elkin Board of Education; 15% for town law enforcement purposes; 10% for Town Recreation Department; and 3% for the Municipal Library.

S 351 ABC stores-Mount Airy
Introducer: Folger

SURRY
Sent to ABC

"Authorizing the establishment of a town liquor control store in the Town of Mount Airy and providing for the allocation of the net proceeds from the operation of such store." Identical with S 349, digested in today's Bulletin, except that (1) act applies to Mount Airy rather than Dobson, and (2) allocation of profits is as follows: 15% to Town for law enforcement, 10% to Town parks and recreation, 5% to Northern Hospital, 5% to Library Foundation, 5% for alcoholic rehabilitation, 5% to airport authority, 55% to Town General Fund.

S 352 ABC stores-Pilot Mountain
Introducer: Folger

SURRY
Sent to ABC

"Authorizing the establishment of a town liquor control store in the Town of Pilot Mountain and providing for the allocation of the net proceeds from the operation of such store." Identical with S 349, digested in today's Bulletin, except that act applies to Pilot Mountain rather than Dobson.

HOUSE

H 540 Washington Bicentennial funds
Introducers: Roberson and Burrus

BEAUFORT
Sent to LOC GOVT

"To authorize the appropriation of nontax revenues by the City of Washington to the Washington Bicentennial Commission for necessary expenses." As title indicates.

H 541 Graveyards-parking & littering
Introducer: Auman

MOORE
Sent to LOC GOVT

"To prohibit parking, driving and occupying motor vehicles, or throwing or depositing any trash, debris, beer cans, empty beverage containers or litter in or on any cemetery or graveyard in Moore County." As title indicates. Violation shall be a misdemeanor punishable by fine not to exceed \$50 or imprisonment not to exceed 30 days or both.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

None

HOUSE BILLS

H 210 Slow vehicle reflectors (digested in Bulletin No. 23, p. 152)

Amendment adopted in House 3/31/71 provides no person shall be convicted of offense under act if it is his first violation.

H 303 Shoplifting arrest liability (digested in Bulletin No. 31, p. 209)

Amendments adopted in House 3/31/71 to: (1) provide if person detained is minor under 16 years, the merchant or his agent shall notify, or try to notify his parent or guardian, and (2) delete slander from list of items for which merchant shall not be civilly liable if detention is reasonable.

H 385 County school board (Dare) (digested in Bulletin No. 39, p. 279)

Amendment adopted in Senate 3/31/71 provides that new member of the Dare Board of Education representing the Hatteras School District shall take office April 1, 1971, and that new member of Board representing the Kitty Hawk School District shall be elected at a meeting of the Kitty Hawk P.T.A. held especially for that purpose (originally, named Mrs. Nellie Perry as that member).

H 405 Agricultural vehicle, MV law (digested in Bulletin No. 41, p. 294)

Committee Substitute adopted in House 3/31/71 redefines implement of husbandry as vehicle which is designed for agricultural purposes and used exclusively in the conduct of agricultural operations and any self-propelled vehicle which has been redesigned or modified for agricultural purposes and is used exclusively in farming operations, and is operated on a highway adjacent to or running in front of the land upon which the operator lives or works when said operator is actually engaged in farming operations. Provides no vehicle registered in State shall be classified as an implement of husbandry.

H 470 Auto inspection requirements (digested in Bulletin No. 47, p. 339)

Amendments adopted in House 3/31/71 make technical changes and change effective date of act to January 1, 1972 (originally, upon ratification).

H 499 Dangerous weapons at schools (digested in Bulletin No. 51, p. 364)

Two amendments adopted in House 3/31/71 make act's restrictions inapplicable to sharp pointed instruments used "solely for personal hygiene" or to any weapon used for ceremonial purposes.

SENATE AND HOUSE

CALENDAR ACTION

MAR.31,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 29 OBSCENITY ACT.(3/30) S-PASSED 2ND & 3RD READING.
S. 57 STOPPING ON HIGHWAYS. S-REPTD FAV.
S. 95 COSTS-OF-COURT CHANGES. S-REPTD FAV AS AMENDED; S-PLACED ON CAL FOR APR 2.
S. 107 LIQUOR LAW REVISION.(3/24, 3/25) S-PASSED 3RD READING.
S. 131 RAPID GROWTH-SMALL WATER SYSTEMS.(3/24, 3/30) S-PLACED ON CAL FOR APR 2.
S. 148 NAMING STATE BUILDINGS.(3/25) S-REC TO CONCUR IN H AMEND; S-CONCURRED ON H AMEND.
S. 168 REGIONAL WATER SUPPLY PLANNING. H-REC FROM SENATE; H-REF TO COM ON WATER.
S. 170 COUNCIL OF STATE MINUTES.(3/17) S-REPTD FAV.
S. 189 LANDSCAPE ARCHITECT CORPORATIONS. H-REPTD FAV.
S. 199 LANDSCAPE ARCH GRANDFATHER.(3/24) H-REPTD FAV.
S. 213 TECHNICAL CHANGES-COURTS. S-REPTD FAV AS AMENDED; S-PLACED ON CAL FOR APR 2.
S. 256 REMOVING OVER-AGE STUDENTS. H-REPTD FAV.
S. 263 EMPLOYMENT OF WELFARE RECIPIENTS. S-REPTD FAV.
S. 299 POWELL BILL FUNDS.(3/30) S-PASSED 3RD READING; H-REC FROM SENATE; H-REF TO COM ON ROADS.
S. 329 BROADENING DMV AIRCRAFT USE. S-REPTD FAV.
H. 115 GREAT SEAL OF THE STATE.(3/19) S-REPTD FAV.
H. 199 PAR BANKING. H-REPTD FAV AS AMENDED.
H. 210 SLOW VEHICLE REFLECTORS.(3/30, 3/30, 3/31) H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING.
#H. 271 \$500 SMALL CLAIM JURISDICTION. H-REPTD UNFAV.
H. 303 SHOPLIFTING ARREST LIABILITY.(3/30, 3/31) H-FLOOR AMENDS ADOPTED; H-PASSED 3RD READING.
H. 315 TOWED VEHICLES FIRMLY ATTACHED. H-PASSED 2ND & 3RD READING.
H. 341 BANK FEES TO REALTORS. H-REPTD FAV AS AMENDED.
H. 370 REALTY BROKERS-UNEMPLOYMENT INS.. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.
H. 405 AGRICULTURAL VEHICLE,MV LAW.(3/31) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
#H. 419 COUNTY SOCIAL SERVICES BOARD PAY. H-REPTD UNFAV.
#H. 420 WELFARE RESIDENCE REPEAL. H-REPTD UNFAV.
H. 423 FRANCHISE,INTANGIBLES TAX CERTIF.. H-REPTD FAV.
H. 442 WORKING PRISONERS REPEALER. H-PASSED 2ND & 3RD READING.

- H. 463 IMMUNIZATION OF CHILDREN. S-REC FROM HOUSE; S-REF TO COM ON PUB HLTH.
- H. 470 AUTO INSPECTION REQUIREMENTS.(3/31, 3/31) H-COM AMEND ADOPTED; H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING.
- H. 499 DANGEROUS WEAPONS AT SCHOOLS.(3/31) H-FLOOR AMENDS ADOPTED; H-FLOOR AMEND FAILED; H-PASSED 2ND READING.
- H. 549 (J.RES.) MEMORIALIZING YOUNG. H-PASSED 2ND & 3RD READING.
- H. 550 (J.RES.) HONORING BROYHILL. H-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 176 (BRUNSWICK) OCEAN ISLE TAX LIMIT REPEAL. S-PASSED 3RD READING.
- S. 260 (LENOIR) KINSTON REALTY SALES.(3/30) S-PASSED 3RD READING.
- S. 270 (ASHE) WEST JEFFERSON ABC STORES. S-PASSED 2ND & 3RD READING.
- S. 305 (GUILFORD) COUNTY OFFICERS-BONDS. H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.
- S. 307 (GUILFORD) MORE BINGO PERMITTED. H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.

- H. 35 (CHOWAN) COUNTY ABC ENFORCEMENT. S-PASSED 2ND & 3RD READING.
- H. 161 (HARNETT) ANGIER LIQUOR STORE ALLOCATION.(2/22) S-PASSED 2ND & 3RD READING.
- H. 227 (MARTIN) JAMESVILLE AD VALOREM TAX. S-PASSED 3RD READING.
- H. 376 (BERTIE) WINDSOR SPECIAL ASSESSMENTS. S-PASSED 3RD READING.
- H. 385 (DARE) COUNTY SCHOOL BOARD.(3/31) S-REPTD FAV AS AMENDED; S-PLACED ON CAL; S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING; H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- H. 386 (WILKES) WILKESBORO TAX DISCOUNTS. S-PASSED 3RD READING.
- H. 441 (CLEVELAND) INCORPORATING POLKVILLE.(3/29) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 452 (RUTHERFORD) SPINDALE TOWN LIMITS.(3/19) S-PASSED 3RD READING.
- H. 495 (IREDELL) DEFRAUDING AMBULANCE SERVICE. H-PASSED 2ND & 3RD READING.

Next Sessions of Senate and House: 12 noon, Thursday, April 1, 1971.

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DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 57

-409-

THURSDAY, APRIL 1, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 354 (Joint Resolution) Inviting Governor-Apr. 8
message (Iden. H 552)
Introducer: Patterson

MISC RES

Passed three readings and
sent to House

"Inviting His Excellency, the Governor, to address a Joint Session of the Senate and House of Representatives at 12:30 p.m., April 8, 1971." As title indicates; directs that 500 copies of address be printed and delivered to Governor's Office for distribution.

S 355 Jail construction funds (Iden. H 560)
Introducers: Taylor and others

APPROPRIATION
Sent to APPROPN

"To appropriate funds for improvement and construction of local confinement facilities." Appropriates from General Fund \$750,000 for 1970-1971 biennium (should read 1971-73) to NC Dep't of Social Services for use as matching funds provided by counties for improvement and construction of local confinement facilities in accord with State Bd. of Social Services regulations.

S 356 Deer hunting-Bertie
Introducer: Harrington

GS 113
Sent to WILDLIFE

"To prohibit hunting deer from boats or floating devices on the Roanoke River in Bertie and Northampton Counties." Makes last paragraph in GS 113-104 (prohibiting hunting deer from boats or other floating devices) apply to Roanoke River from US 301 intersection at Weldon to US 17 intersection at Williamston (now does not apply to any rivers or streams in Bertie and N'hampton); provides act not to affect Roanoke River in Martin County.

S 357 Kool-Aid tax repeal (Iden. H 555)
Introducers: Moore and others

GS 105
Sent to FINANCE

"To amend the Soft Drink Tax Act to remove the tax upon those powder bases prepared for the purpose of domestically mixing soft drinks." Removes from definition of "soft drink syrups and powders" in GS 105-113.44 (Soft Drink Tax Act) those powders for soft drinks such as kool-aid, oh boy drink, tip-top, miracle aid and similar products. Effective July 1, 1971.

S 358 Utilities Comm'n-pipeline safety-1
Introducer: Saunders

GS 62
Sent to PUB UTIL

"To amend G. S. 62-50 to authorize the courts to issue court orders and



injunctions in actions by the Utilities Commission to enforce the provisions of the gas pipeline safety statutes." Adds new subsection (f) to GS 62-50 authorizing Utilities Comm'n to bring actions in Gen'l Court of Justice for mandatory injunctions, restraining orders, temporary restraining orders, penalties, damages and other necessary relief to secure compliance with gas pipeline safety statutes and regulations, and empowers courts to provide such relief. Effective Oct. 15, 1971.

S 359 Utilities Comm'n-attorneys-1
Introducer: Saunders

GS 84
Sent to PUB UTIL

"To amend G. S. 84-4.1 to include practice before the Utilities Commission within the provisions for limited practice of out-of-state attorneys." Amends GS 84-4.1 and -4.2 to include practice before Utilities Comm'n as practice to which out-of-state attorney may be admitted on motion provided he complies with stated conditions, including associating a NC lawyer, and permits Comm'n to revoke permission in its discretion. Effective Oct. 15, 1971.

S 360 Utilities Comm'n-rate power
Introducer: Saunders

GS 62
Sent to PUB UTIL

"To amend G.S. 62-134(b) to clarify authority of the Utilities Commission to suspend increases or changes in all utility rates." Amends GS 62-134(b) to key Comm'n power to hold a hearing and suspend rates on the filing of a schedule stating "new or revised rate or rates" (now, "new rate or rates").

S 361 Utilities Comm'n-attorneys-2
Introducer: Saunders

GS 62
Sent to PUB UTIL

"To amend Chapter 62 of the General Statutes to authorize allowance of attorneys fees as costs of court in actions against common carriers for loss and damage to goods shipped." Adds new GS 62-212 to provide, in actions by shippers to collect for damages to freight transported by common carriers of property in NC, that court may allow reasonable attorneys' fees to successful plaintiff, taxed as part of court costs, if plaintiff has filed claim with defendant carrier and claim not paid within 90 days of receipt of claim by carrier. Effective Oct. 15, 1971.

S 362 Utilities Comm'n-motor carriers
Introducer: Saunders

GS 62
Sent to PUB UTIL

"To amend G.S. 62-281 to make safety regulations for motor carriers operating in North Carolina applicable to all for-hire interstate motor carrier vehicles." Amends GS 62-281 to allow Utilities Comm'n to adopt highway safety rules and regulations for all for-hire motor carriers engaged in interstate commerce on NC highways, whether common carriers or exempt carriers (now, for common carriers). Effective Jan. 1, 1972.

S 363 Utilities Comm'n-clarifying act
Introducer: Saunders

GS 62
Sent to PUB UTIL

"To amend certain sections of Chapter 62 of the General Statutes to clarify provisions relating to public utilities and to the Utilities Commission." Amends GS 62-316 to indicate that disclosure of information by Utilities Comm'n is unlawful "except" (previous transition word was "or") as directed by Comm'n or court. Amends GS 62-300(3) to indicate that \$25 application fee applies also when filing tariff seeking general increase in rates, fares and charges. Amends GS 62-266(d) to make insurance requirements apply to all motor carriers operating in interstate

commerce on NC highways "whether operating as a regulated carrier or exempt for-hire carrier" (quotes contain new language). Effective Oct. 15, 1971.

S 364 Utilities Comm'n-service hearings
Introducer: Saunders

GS 62
Sent to PUB UTIL

"To amend G.S. 62-118 and G.S. 62-247 to provide for hearings in the discretion of the Commission in the case of abandonment and reduction of service." Amends GS 62-247 to provide that hearing upon petition for abandonment of service before issuance of order for such abandonment shall be discretionary with Comm'n (now, mandatory). Amends GS 62-247(c) to provide that a RR passenger station or depot may not be abandoned or the service substantially diminished after being maintained for 1 year except by approval of Comm'n upon filing a petition (now, "by consent of Comm'n"). Effective Oct. 15, 1971.

S 365 Utilities Comm'n-rate data filing
Introducer: Saunders

GS 62
Sent to PUB UTIL

"To amend Chapter 62 of the General Statutes to clarify authority of the Utilities Commission to establish requirements for the filing of data with rate increases and to reject rate increases which fail to comply with such requirements." Adds new GS 62-134(c) to authorize Utilities Comm'n to prescribe rules and regulations for filing of rate increases by petition, tariff filing or otherwise and for requiring data relating to justness and reasonableness of rate increase. Authorizes Comm'n to reject rate increase which is not filed in compliance with regulations without prejudice to refiling, such rejected rate increase not to be deemed a filing of new or changed rates as of date of first filing but as of date of refiling. Effective Oct. 15, 1971.

S 366 Utilities Comm'n-freight rates
Introducer: Saunders

GS 62
Sent to PUB UTIL

"To amend G.S. 62-146(b) to require interchange of freight between regular route and irregular route motor common carriers of general commodities." As title indicates, amends GS 62-146(b) to provide for such interchange by order of Utilities Comm'n upon its own motion or upon petition. Effective Oct. 15, 1971.

S 367 Utilities Comm'n-service resale
Introducer: Saunders

GS 62
Sent to PUB UTIL

"To amend G.S. 62-3(23)(d) to regulate metered resale of utility service to tenants or employees or others." Adds new language to first sentence of GS 62-3(23)(d) to make any person distributing utility service to employees or tenants by individual meters and with a charge for metered utility service a public utility regulated by Ch. 62 with regard to the rates and service rendered through those meters with separate charge. Effective Oct. 15, 1971.

S 368 Utilities Comm'n-pipeline safety-2
Introducer: Saunders

GS 62
Sent to PUB UTIL

"To amend Chapter 62 of the General Statutes to provide safeguards for blasting and excavating near natural gas pipelines." Adds new GS 62-52 to make it unlawful to blast, dig, or excavate near a natural gas service line without first obtaining permit for such blasting, digging or excavating from city or county planning department and giving notice of such permit to the gas company involved. Violation of act made a violation of Ch. 62 and punishable as provided in GS 62-310 to -325 plus violator liable for civil damages resulting from his conduct. Effective Oct. 15, 1971.

S 369 Utilities Comm'n-exemption-1
Introducer: Saunders

GS 62
Sent to PUB UTIL

"To amend G.S. 62-3(23)(d) to exempt non-profit water membership corporations financed by the Farmers Home Administration from regulation as public utilities." As title indicates.

S 370 Utilities Comm'n-exemption-2
Introducer: Saunders

GS 62
Sent to PUB UTIL

"To amend G.S. 62-3(23)a.2 to reduce the number of customers constituting an exemption for water utility companies." As title indicates, amends definition of public utility to provide that a water company selling to fewer than 10 (now, 25) residential customers shall not be deemed a public utility. Effective Oct. 15, 1971.

S 371 Utilities Comm'n-telephone corps.
Introducer: Saunders

GS 62
Sent to PUB UTIL

"To amend G.S. 62-44 to include telephone membership corporations within the requirements for continuance of telephone lines." Adds telephone membership corporations to telephone and telegraph utilities as utilities that may be required by Utilities Comm'n under GS 62-44 to establish and maintain through lines between two or more localities which cannot be communicated with or reached by one utility alone.

S 372 Utilities Comm'n-registration fee
Introducer: Saunders

GS 62
Sent to PUB UTIL

"To amend G.S. 62-266(c) and (d) and G.S. 62-300(a)(8) and (a)(13) and addition of new subsection (14) to increase the fees for annual re-registration of motor carrier and contract carrier vehicles operating under the jurisdiction of the Utilities Commission from 25¢ to \$1.00." As title indicates. Effective Jan. 1, 1972.

HOUSE

H 552 (Joint Resolution) Inviting Governor-Apr. 8
message (Iden. S 354)
Introducer: Andrews

MISC RES
Passed 2nd and 3rd readings
and sent to Senate

"Inviting His excellency, the Governor, to address a joint session of the Senate and House of Representatives at 12:30 p.m., April 8, 1971." Identical with S 354, digested in the Senate section of today's Bulletin.

H 553 Narcotism reference in curriculum
Introducers: Barker and Beatty

GS 115
Sent to EDUCATN

"To change the references in the General Statutes from 'alcoholism and narcotism' to 'harmful or illegal drugs including alcohol'." Substitutes phrase "harmful or illegal drugs including alcohol" for phrase "alcoholism and narcotism" in GS 115-37, GS 115-198 and GS 115-204, all three sections dealing with subjects to be taught in the public schools.

H 554 Family court services-73,000
Introducers: Barker and others

GS 7A
Sent to COURTS

"To amend G.S. 7A-134 to provide for family court services in any district court district having a county with a population of 73,000 or more." As title indicates, (now, 85,000). Effective July 1, 1971.

H 555 Kool-Aid tax repeal (Iden. S 357)
Introducer: Martin

GS 105
Sent to FINANCE

"To amend the Soft Drink Tax Act to remove the tax upon those powder bases prepared for the purpose of domestically mixing soft drinks." Identical with S 357, digested in the Senate section of today's Bulletin.

H 556 Small business management program
Introducers: Roberson and others

APPROPRIATION
Sent to CONS & DEV

"Appropriating funds to the Department of Conservation & Development, in order to establish a Small Business Management Development Section within the Division of Commerce and Industry." Appropriates \$125,000 for fiscal 1971-2 and \$125,000 for fiscal 1972-3 as title indicates. Effective July 1, 1971.

H 557 Food industries program
Introducers: Roberson and others

APPROPRIATION
Sent to CONS & DEV

"Appropriating funds to the Department of Conservation and Development, in order to establish a Food Industry Section within the Division of Commerce and Industry." Appropriates \$32,128 in fiscal 1971-72 and \$33,076 in fiscal 1972-73 to C & D to establish Food Industries Section within Division of Commerce and Industry, the purpose of the new Section to be the attraction of food and seafood processing industries to NC, the giving of direction to food and seafood industries consultants in the Division, and the encouragement of closer cooperation of all food and seafood interests in state. Places Seafood Marketing Program in new Section. Effective July 1, 1971.

H 558 Division of Coastal Resources
Introducers: Roberson and others

GS 113
Sent to CONS & DEV

"To amend Chapter 113 of the General Statutes of North Carolina by renaming the Division of Commercial and Sports Fisheries, the Division of Coastal Resources." Changes references in GS 113-316,-318,-319 (provisions relating to changing name from Division of Commercial Fisheries to Division of Commercial and Sports Fisheries) to Commissioner and Division of Coastal Resources.

H 559 Immunity waiver-towns
Introducers: Arnold and Love

GS 160
Sent to JUDIC 2

"Authorizing cities and towns to waive their governmental immunity from tort liability by the purchase of liability insurance." Repeals GS 160-191.1 through -191.5 (provisions allowing waiver of governmental immunity for motor vehicle torts by purchase of liability insurance) and establishes general system for waiving governmental immunity by purchasing liability insurance. Provides immunity shall only be waived to the extent that the city is indemnified by insurance. Authorizes city to purchase insurance to cover some employees and functions and not others and to cover some torts but not others. Provides any insurer who issues a contract of insurance to city pursuant to act waives any defense based upon the governmental immunity of the city, and any defense based on lack of authority for city to enter contract. Provides cities waiving immunity under act do not waive any other defenses to tort claims, and that no judgment may be entered against city for amount in excess of its insurance coverage. Jury not to be informed of insurance coverage and insurance issue to be decided by judge alone. Makes act inapplicable to tort claims for which there is no governmental immunity. Effective July 1, 1971.

H 560 Jail construction funds (Iden. S 355)
Introducers: Patton and others

APPROPRIATION
Sent to APPROPN

"To appropriate funds for improvement and construction of local confinement facilities." Identical with S 355, digested in the Senate section of today's Bulletin.

H 561 (Joint Resolution) Mecklenburg school case
Introducers: Lawing, Vogler, Foley, Beatty, Hicks

MISC RES
Passed two readings

"Calling for the United States Supreme Court to hand down its ruling of the Charlotte-Mecklenburg County school case." As title indicates.

H 563 Women's work-week hours
Introducer: Wynne

GS 95
Sent to MFG LABR

"To provide for the limitation of hours of employment." Rewrites GS 95-17 to make all its current provisions on maximum hours for males applicable to females (56 hours a week, 10 hours a day, with many exceptions), deleting current limitations for females of 48 hours a week and 9 hours a day. Removes proviso concerning employment for up to 10 hours a day of females over 16 for one week's duration at Thanksgiving and Christmas and two weeks during year for inventory. Removes proviso concerning females in seasonal industries processing perishable commodities working more than 10 hours a day or 55 hours a week. Repeals GS 95-27 setting hour limits (10 hours a day, 55 hours a week) for females employed as clerks, salesladies or waitresses. Repeals GS 95-29 making it a misdemeanor for shop, store and office owners to fail to provide suitable seats for female employees.

H 564 Burwell School restoration
Introducers: C. Smith and Andrews

APPROPRIATION
Sent to APPROPN

"To appropriate funds for completion of the restoration of the Burwell School in Hillsborough." Appropriates from General Fund to Dep't of Archives and History \$30,700 for 1971-3 biennium as title indicates.

LOCAL BILLS

SENATE

None

HOUSE

H 562 Single-shot voting permissible
Introducers: J.J. Johnson and others

ROBESON
Passed three readings
and sent to Senate

"To amend G.S. 163-151(3)b so as to delete Robeson County from said act."
Removes Robeson from application of GS 163-151(3)b which requires voter to cast votes for as many candidates as there are positions to be filled in multiple-positions office (preventing "single-shot" voting) in primary elections for county offices.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

- S 93 Civil procedure revision (digested in Bulletin No. 15, p. 96)
15 technical amendments adopted in Senate 4/1/71.
- S 214 Driver license revocation-patients (digested in Bulletin No. 36, p. 254)
Committee Substitute adopted in Senate 4/1/71 makes technical changes.
- S 279 Workmen's comp.-prisoners (digested in Bulletin No. 44, p. 317)
Technical amendment adopted in Senate 4/1/71.
- S 293 Archaeological salvage-highways (digested in Bulletin No. 47, p. 337)
Technical amendment adopted in Senate 4/1/71.

HOUSE BILLS

- H 4 Campaign contributions, expenses (digested in Bulletin No. 1, p. 6)
Committee Substitute adopted in House 4/1/71 rewrites GS 163-263 to require every candidate and campaign committee receiving contributions or making expenditures in connection with nomination or election of any candidate in primary, general or special election for any federal, state, district or county office to file sworn statement of contributions and expenditures within 30 days after election, and if he filed notice of candidacy with State Bd. of Elections, to file 10-20 days before election a sworn statement of contributions and expenditures. Candidates with no contributions or expenditures required to file; unopposed candidates not required to file. Statements of candidates filing notice of candidacy with State Bd. of Elections to file statement with Bd.; those filing notice with county bd. of elections to file statement with clerk of superior court; filing requirements to be provided by officer with whom statements filed. Makes misdemeanor the failure to file statement by candidate or campaign committee chairman or treasurer; penalty is amount equivalent to filing fee for office sought for each day delinquent. (GS 163-263 now requires sworn statements 10 days before and within 20 days after election for federal, state and district offices with Sec'y of State or clerk of superior court.) Repeals GS 163-265 (requiring statements by campaign committees) and GS 163-266(b) (making violation a general misdemeanor).
- H 341 Bank fees to realtors (digested in Bulletin No. 35, p. 246)
Amendment adopted in House 4/1/71 to provide realtors covered shall not be officer or employee of bank paying fee.
- H 405 Agricultural vehicle, MV law (digested in Bulletin No. 41, p. 294; Committee Substitute digested in Bulletin No. 56, p. 404)
Technical amendment to Committee Substitute adopted in House 4/1/71.

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- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 29 OBSCENITY ACT. (3/30) H-REC FROM SENATE; H-REF TO COM ON JUDIC 1.
 S. 39 PRESIDENTIAL PRIMARY ELECTION. (3/30) S-COM AMEND FAILED; S-PASSED 2ND READING.
 S. 49 SERVICE OF PROCESS ON SHERIFF. (3/30) H-PASSED 2ND & 3RD READING.
 S. 51 HIGHWAY LITTER FINE. (3/02, 3/22, 3/23) H-RECALLED FROM SENATE.
 S. 57 STOPPING ON HIGHWAYS. S-PASSED 2ND & 3RD READING.
 S. 67 PUBLIC SCHOOL MERGER-COUNTIES. S-REPTD FAV.
 S. 93 CIVIL PROCEDURE REVISION. (4/01) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
 S. 123 FILING LEGITIMATION PETITIONS. (3/23) S-REPTD FAV COM SUBSTITUTE.
 S. 170 COUNCIL OF STATE MINUTES. (3/17) S-PASSED 2ND & 3RD READING.
 S. 189 LANDSCAPE ARCHITECT CORPORATIONS. H-POSTPONED TO APR 6.
 S. 192 CHILD PLACEMENT LIMITATION. H-RECALLED FROM COM; H-RE-REF COM ON JUDIC 2.
 S. 194 CHILD PLACEMENT SPONSORS. (3/24) S-PLACED ON CAL FOR APR 2.
 S. 199 LANDSCAPE ARCH. GRANDFATHER. (3/24) H-POSTPONED TO APR 6.
 S. 214 DRIVER LICENSE REVOCATION-PATIENTS. (4/01) S-COM SUBSTITUTE ADOPTED.
 S. 230 GASOLINE ADVERTISING. (3/30) S-PLACED ON CAL FOR APR 5.
 S. 242 MEDICAL REVIEW NOTICE: DRIVER LIC. H-PASSED 2ND & 3RD READING.
 S. 249 PODIATRY DEFINED. S-REPTD FAV.
 S. 255 CONTINUING BAIL BONDS. S-REPTD FAV.
 S. 256 REMOVING OVER-AGE STUDENTS. H-PASSED 2ND & 3RD READING.
 S. 263 EMPLOYMENT OF WELFARE RECIPIENTS. S-PASSED 2ND & 3RD READING.
 S. 279 WORKMEN'S COMP.-PRISONERS. S-RE-REF COM ON APPROPRN.
 S. 280 WORKMEN'S COMP.-RADIATION WORKERS. S-PASSED 2ND READING; S-PLACED ON CAL FOR APR 5.
 S. 281 WORKMEN'S COMP.-TOTAL DISABILITY. S-PASSED 2ND & 3RD READING.
 S. 293 ARCHAEOLOGICAL SALVAGE-HIGHWAYS. (4/01) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
 S. 299 POWELL BILL FUNDS. (3/30) H-REPTD FAV; H-PLACED ON CAL FOR APR 6.
 S. 328 SETTLING LAND TITLES. S-REPTD FAV.
 S. 329 BROADENING DMV AIRCRAFT USE. S-PASSED 2ND & 3RD READING.
 S. 338 WOUND REPORTS BY PHYSICIANS-2. S-RECALLED FROM COM; S-RE-REF COM ON PUB HLTH.
 S. 354 INVITING GOVERNOR-APR. 8 MESSAGE. S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PASSED 2ND & 3RD READING.
 H. 4 CAMPAIGN CONTRIBUTIONS, EXPENSES. (4/01) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED; H-PLACED ON CAL FOR APR 7.
 #H. 18 \$1.60 MINIMUM WAGE. (3/02, 3/04, 3/29) RATIFIED CH. 138.
 H. 93 SECURE LOADS ON TRUCKS. (3/09, 3/11) S-REPTD UNFAV-MIN REPORT.
 H. 115 GREAT SEAL OF THE STATE. S-PLACED ON CAL FOR APR 5.
 H. 197 ENCOURAGE CORRECTIONAL REFORM. S-PASSED 2ND & 3RD READING.
 H. 198 SUBDIVISION TRAFFIC RULES. H-REPTD FAV AS AMENDED.
 H. 199 PAR BANKING. H-POSTPONED TO APR 6.

- #H. 202 EMERGENCY WARNING SIGNALS. H-REPTD UNFAV.
- H. 223 HEARING-AUTO LICENSE SUSPENSION. S-REPTD FAV AS AMENDED.
- H. 212 ADOPTION OF ABANDONED CHILDREN. S-REPTD FAV.
- H. 236 CLARIFY SIGNALS LAWS. H-REPTD FAV.
- #H. 240 NAMING STATE BUILDINGS. H-POSTPONED INDEF.
- H. 301 LEARNERS' PERMITS-6 MONTHS. S-REPTD FAV.
- H. 303 SHOPLIFTING ARREST LIABILITY. (3/30, 3/31) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.
- #H. 306 WAIVER OF JURY-CONSTITUTION. H-REPTD UNFAV.
- H. 315 TOWED VEHICLES FIRMLY ATTACHED. S-REC FROM HOUSE; S-REF TO COM ON ROADS.
- H. 316 DEAD DOG NOTIFICATION. H-REPTD FAV AS AMENDED.
- H. 341 BANK FEES TO REALTORS. (4/01) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 403 SIGNING SUBPOENAS. S-REPTD FAV.
- H. 405 AGRICULTURAL VEHICLE, MV LAW. (3/31, 4/01) H-COM SUBSTITUTE AMENDED; H-PASSED 2ND & 3RD READING.
- H. 408 HEALTH BD. ALTERNATES. S-PLACED ON CAL FOR APR 7.
- H. 423 FRANCHISE, INTANGIBLES TAX CERTIF. H-PASSED 2ND READING.
- H. 428 BLIND RELIEF; STATE RESIDENCE. H-REPTD FAV AS AMENDED.
- H. 429 BLIND RELIEF; REINVESTIGATION. S-REPTD FAV.
- H. 442 WORKING PRISONERS REPEALER. S-REC FROM HOUSE; S-REF TO COM ON CORRECTN.
- H. 460 AID-TO-BLIND, INTERCOUNTY TRANSFER. H-REPTD FAV.
- H. 463 IMMUNIZATION OF CHILDREN. S-REPTD FAV AS AMENDED.
- H. 466 REGIONAL JAIL OPERATIONS. H-REPTD FAV AS AMENDED.
- H. 470 AUTO INSPECTION REQUIREMENTS. (3/31) H-PASSED 3RD READING.
- H. 503 ENTICING SEAMEN LAW REPEALED. H-PASSED 2ND & 3RD READING.
- H. 504 SECRETING SEAMEN LAW REPEALED. H-PASSED 2ND & 3RD READING.
- H. 505 SEAMEN SEARCH WARRANTS REPEALED. H-PASSED 2ND & 3RD READING.
- H. 506 SEAMEN CASE APPEALS ABOLISHED. H-PASSED 2ND & 3RD READING.
- #H. 509 COTTON LOAN RATE CONCERN. RATIFIED RES. 40.
- #H. 529 HAILING BOYS CLUB WEEK. RATIFIED RES. 38.
- #H. 530 HAIL HEELS, DEVILS, CD. RATIFIED RES. 39.
- H. 532 CONTRACTOR LICENSE CHANGES. H-REPTD FAV.
- H. 549 MEMORIALIZING YOUNG. S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.
- H. 550 HONORING BROYHILL. S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.
- #H. 552 INVITING GOVERNOR-APR. 8 MESSAGE. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-POSTPONED INDEF.

LOCAL BILLS

- #S. 164 (GUILFORD) GUILFORD SCHOOL BOARD. RATIFIED CH. 136.
- S. 176 (BRUNSWICK) OCEAN ISLE TAX LIMIT REPEAL. H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.
- #S. 197 (WAKE) COUNTY BICENTENNIAL. RATIFIED CH. 137.
- S. 270 (ASHE) WEST JEFFERSON ABC STORES. H-REC FROM SENATE; H-REF TO COM ON ABC.
- H. 14 (TYRRELL) COLUMBIA SPENDING PROCEDURE. (2/22) S-REPTD FAV.
- H. 19 (ORANGE) MASTER FORM MORTGAGES. S-REPTD FAV.
- #H. 35 (CHOWAN) COUNTY ABC ENFORCEMENT. RATIFIED CH. 143.
- #H. 161 (HARNETT) ANGIER LIQUOR STORE ALLOCATION. (2/22) RATIFIED CH. 144.
- #H. 227 (MARTIN) JAMESVILLE AD VALOREM TAX. RATIFIED CH. 145.
- #H. 358 (CHEROKEE) MURPHY TOWN COUNCIL. (3/15) RATIFIED CH. 139.
- #H. 364 (MECKLENBURG) CHARLOTTE MAYOR'S VOTE. (3/15) RATIFIED CH. 140.
- #H. 376 (BERTIE) WINDSOR SPECIAL ASSESSMENTS. RATIFIED CH. 146.

- #H. 383 (PASQUOTANK) COUNTY TAX COLLECTOR. RATIFIED CH. 141.
- #H. 385 (DARE) COUNTY SCHOOL BOARD. (3/31) RATIFIED CH. 147.
- #H. 386 (WILKES) WILKESBORO TAX DISCOUNTS. RATIFIED CH. 148.
- #H. 404 (ORANGE) HILLSBOROUGH POLICE JURISDICTION. RATIFIED CH. 142.
- H. 413 (ALAMANCE) WOUND REPORTS BY HOSPITALS. H-PASSED 2ND & 3RD READING.
- #H. 415 (DAVIDSON) FIREMEN RETIREMENT-LEXINGTON. H-REPTD UNFAV.
- #H. 450 (ORANGE) CHAPEL HILL PARKS AND RECREATION. H-REPTD UNFAV.
- #H. 452 (RUTHERFORD) SPINDALE TOWN LIMITS. (3/19) RATIFIED CH. 149.
- H. 490 (GUILFORD) COMMUNITY SERVICE FACILITIES. H-REPTD FAV.
- H. 495 (IREDELL) DEFRAUDING AMBULANCE SERVICE. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
- H. 518 (GUILFORD) AUTHORIZING FUND INVESTMENT. H-REPTD FAV.
- H. 527 (MECKLENBURG) CHARLOTTE'S MASONIC TEMPLE. S-RE-REF COM ON JUDIC 1; S-REPTD FAV.
- H. 562 (ROBESON) MARKING ELECTION BALLOT. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

Next session of Senate: 10:00 a.m., Friday, April 2, 1971.

Next session of House: 10:30 a.m., Friday, April 2, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
P. O. BOX 7294, RALEIGH, N. C.
27611 TEL. (919) 755-3355
(919) 829-7677

BULLETIN NO. 58

-421-

FRIDAY, APRIL 2, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 374 Increase Building Code Council
Introducer: Crawford

GS 143
Sent to ST GOVT

"To amend G.S. 143-136(a) to increase the membership of the Building Code Council by adding a licensed electrical contractor." As title indicates.

S 375 Nat'l Driving Center Foundation (Iden. H 573)
Introducers: Allen and others

APPROPRIATION
Sent to APPROPRN

"To appropriate \$500,000 from the General Fund for the benefit of the National Driving Center Foundation, Inc." Identical with H 573 digested in the House section of today's Bulletin.

S 376 Alston House funds
Introducers: Saunders and others

APPROPRIATION
Sent to APPROPRN

"To appropriate funds for the House in the Horseshoe (Alston House) in Moore County." Appropriates \$30,000 in 1971-3 biennium from General Fund to Dep't Archives and History for restoration of Alston House, and \$8,765 in fiscal 1971-2 and \$21,378 in fiscal 1972-3 to same dep't for maintenance and operation of house.

S 377 Service of process-acceptance
Introducer: Folger

GS 1A
Sent to JUDIC 2

"To allow acceptance of service of process." Adds new subsection (j1) to Rule 4 of Rules of Civil Procedure (manner of service of process to exercise personal jurisdiction) to allow any party to accept service in lieu of manner provided in 4(j) by notation of acceptance along with the date on an original or copy of summons to that party, that summons then being prima facie evidence of compliance with Rule 4.

HOUSE

S 566 Inter-American and Asian Dev. Banks
Introducer: Leatherman

GS 58, 128, 135
Sent to INSUR

"To amend G.S. 58-79(a)(5) and other provisions to permit investment in the Inter-American Development Bank and the Asian Development Bank." Amends GS 58-79 (a)(5), 58-79.1(a)(6), 128-29(a)(2), and 135-7(a)(2) to permit life and other domestic insurance companies, and the funds for city and county and teachers and state employees retirement systems to invest in obligations of the Inter-American Development Bank and the Asian Development Bank.



H 567 Seed law
Introducers: J. Brown and others

GS 106
Sent to AGRICULT

"Amending the North Carolina Seed Law so as to provide that the year agricultural seed are grown appears on the label of the seed container." Adds new subsection (11) to GS 106-277.5 (labels for agricultural seeds) as title indicates. Effective Oct. 1, 1971.

H 570 County soc. serv. bd. members
Introducer: Green (by request)

GS 108
Sent to SOC SERV

"To amend G.S. 108-9 providing for the appointments of the members of the county social service board and to provide for their fees and compensation." Adds new paragraph to GS 108-9 to provide that members of county boards of social services (either 3-member or 5-member) who are appointed by State Board of Social Services or by county bd. of commissioners or by senior regular resident superior court judge of county are to be residents of county and are to receive only fees and compensation as authorized by GS 108-14 (\$10 per diem and travel expenses provided by GS 138-5 -- 8¢ per mile, actual fare for public conveyance, \$20 subsistence, \$10 convention fees -- if both authorized by bd. of commissioners). (Makes no reference to residency or fees and compensation for members of county boards of social services who are selected by other two or four members of board.) Effective July 1, 1971.

H 572 Exempting EMCs and TMCs
Introducer: Martin

GS 45
Sent to PUB UTIL

"To amend G.S. 45-70 to exempt electric and telephone membership corporations from the application of G.S. 45-68." Adds new GS 45-70(d) providing that security instruments executed by named corporations securing their obligations shall from the date of registration have same priority to the extent of all future advances as if all advances had been made at date of execution, regardless of whether making of advances is obligatory or whether security instrument complies with GS 45-68.

H 573 Nat'l Driving Center Foundation (Iden. S 375)
Introducers: Whichard and Miller

APPROPRIATION
Sent to APPROPRN

"To appropriate \$500,000 from the General Fund for the benefit of the National Driving Center Foundation, Inc.." Appropriates funds as title indicates with restrictions that appropriation to be a reserve fund and to be paid over on order of Governor only on proof that at least \$500,000 received from other sources for constructing and equipping facilities. Authorizes Governor to set other conditions. Effective July 1, 1971.

H 574 (Joint Resolution) International textile trade
Introducers: Rhyne and others

MISC RES
Passed three readings and
sent to Senate

"Memorializing the President and the Congress to take steps necessary to restore order to international trade in textiles and apparel and commending the President for his rejecting the unsatisfactory Japanese proposal to unilaterally restrain textile exports to the United States." As title indicates.

H 575 Dogs on Capitol Square
Introducer: Twiggs

GS 14
Sent to ST GOVT

"To repeal G.S. 14-396 regarding dogs on Capitol Square worrying squirrels." As title indicates repeals sections making it misdemeanor (\$50 or 30 days) for owner or keeper of dog to allow it to run at large on Capitol Square to the annoyance and harassment of squirrels or other wild animals on grounds.

H 576 Armed gang of detectives
Introducer: Twiggs

GS 14
Sent to JUDIC 2

"To repeal G.S. 14-276 regarding detectives going armed in a body." As title indicates, repeals GS 14-276 (misdemeanor for any body of three or more detectives or men calling themselves detectives to go armed).

H 577 Arrest of tramps
Introducer: Twiggs

GS 14
Sent to JUDIC 2

"To repeal G.S. 14-341 regarding arrest of tramps by persons who are not officers." As title indicates repeals section which authorizes any person to arrest tramps (defined in GS 14-338 thru -340) and to receive the same fee as a sheriff upon the tramp's conviction.

H 578 Injuries by tramps
Introducer: Twiggs

GS 14
Sent to JUDIC 2

"To repeal G.S. 14-340 regarding malicious injuries by tramps to persons and property." As title indicates, repeals section providing punishment of up to three years imprisonment for any tramp who willfully and maliciously injures another person or his real or personal estate.

H 579 (Joint Resolution) Requesting clemency for Calley-2 MISC RES
Introducer: J. C. Johnson and others

Sent to JUDIC 1

"Opposing the conviction of Lieutenant William L. Calley, Jr., and requesting the President of the United States to grant him clemency." As title indicates; copy of resolution to be certified by the Secretary of State and sent immediately to the President of the United States.

LOCAL BILLS INTRODUCED

SENATE

S 373 Nashville townlimits (Iden. H 571)
Introducer: Milgrom (by request)

NASH
Sent to LOC GOVT

"To extend the corporate limits of the Town of Nashville." As title indicates; extensive description of area to be added. Effective May 7, 1971.

S 378 Tax listing by mail
Introducer: Folger

SURRY, GS 105
Sent to LOC GOVT

"To amend Sections 105-306(26); 105-308; 105-309 and 105-310 of the General Statutes of North Carolina to authorize the Board of County Commissioners of Surry County to prescribe regulations relating to the listing of property for taxation in Surry County." Amends GS 105-306(26), 105-308, 105-309, and 105-310 to authorize Bd. of County Commissioners of Surry County to prescribe regulations governing form of oath for persons listing property for taxation and governing listing of property by mail and by agents.

S 379 Roanoke Rapids manager election
Introducer: Allsbrook

HALIFAX
Sent to LOC GOVT

"To permit an election in the City of Roanoke Rapids to determine whether the office of city manager shall be abolished." As title indicates, requires question be submitted at next regular municipal election, and provides for city council-mayor form of gov't if manager's office abolished, giving council powers held by manager. New form of gov't not to be effective before July 1, 1971, if manager's office abolished.

HOUSE

H 565 Trapping law
Introducer: Barker (by request of Mason)

CARTERET
Sent to WILDLIFE

"To repeal Chapter 591 of the 1967 Session Laws which closed the trapping season in Carteret County during the open season for deer and quail." As title indicates.

H 568 Fox hunting
Introducer: J. Brown and Haynes

WILKES, GS 113
Sent to WILDLIFE

"To make it lawful to take foxes in Wilkes County at any time." As title indicates makes it lawful to hunt foxes in Wilkes County at any time by any method except poisoning, notwithstanding any NC game laws or regulations.

H 569 Squirrel season
Introducers: J. Brown and Haynes

WILKES, GS 113
Sent to WILDLIFE

"To enlarge open season on squirrels in Wilkes County." Makes open season on squirrels in Wilkes County run from Sept. 14 to Jan. 2, notwithstanding open seasons set out in GS 113-100 (Sept. 15 to Jan. 15 for squirrels).

H 571 Nashville town limits (Iden. S 373)
Introducers: Eagles, Fenner and Barbee (by request)

NASH
Sent to LOC GOVT

"To extend the corporate limits of the Town of Nashville." Identical with S 373, digested in the Senate section of today's Bulletin.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 95 Cost-of-court changes (digested in Bulletin No. 15, p. 97)
Amendment adopted in Senate 4/2/71 makes technical change; amends GS 6-49 to provide prosecuting witness (now, prosecutor) shall be liable for costs of court in certain cases; amends GS 6-50 to delete reference to justice of the peace; deletes GS 6-50 and 6-60 from list of GS sections repealed by act.

S 131 Rapid growth-small water systems (digested in Bulletin No. 23, p. 149; Committee Substitute digested in Bulletin No. 51, p. 366; previous Senate amendment digested in Bulletin No. 55, p. 395)

Committee Substitute amended in Senate 4/2/71 to make act effective July 1, 1971, rather than on ratification.

S 194 Child placement sponsors (digested in Bulletin No. 34, p. 237; Committee Substitute digested in Bulletin No. 51, p. 367)

Amendment adopted in Senate 4/2/71 removes clause in proviso concerning adoption of child over 12 that required child to have lived with petitioners for 5 years prior to filing of petition of adoption. (Amendment incorrectly refers to lines 17, 18, 19 and 20 of p. 2 of Committee Substitute; apparently meant to refer to lines 15, 16 and 17.)

S 213 Technical changes-courts (digested in Bulletin No. 36, p. 253)

Amendment adopted in Senate 4/2/71 makes technical changes in bill.

HOUSE BILLS

H 198 Subdivision traffic rules (digested in Bulletin No. 23, p. 150)

Amendment adopted in House 4/2/71 deletes proposed change in GS 20-139; adds to GS 20-38 definition of "public vehicular area" as any area open to the public for vehicular traffic or parking; and inserts in appropriate places in act words "public vehicular area" for words "area open to vehicular traffic in residential subdivisions."

H 223 Hearing-auto license suspension (digested in Bulletin No. 24, p. 162)

Amendment adopted in Senate 4/2/71 allows judge and solicitor presiding and serving over court of conviction to make recommendation if judge and solicitor hearing case are not reasonably available.

H 316 Dead dog notification (digested in Bulletin No. 32, p. 223)

Amendment adopted in House 4/2/71 makes act applicable only to dead dogs (originally read "or other animals") and indicates that notice can be by mail or other means.

H 463 Immunization of children (digested in Bulletin No. 46, p. 330)

Amendment adopted in Senate 4/2/71 changes proposed GS 130-88 to provide parents whether able or unable to pay for required vaccination may present child to local health director for free immunization.

SENATE AND HOUSE

CALENDAR ACTION

APR.02,1971

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PUBLIC BILLS

- S. 39 PRESIDENTIAL PRIMARY ELECTION.(3/30) S-PLACED ON CAL FOR APR 6.
S. 49 SERVICE OF PROCESS ON SHERIFF.(2/01, 3/30) S-REC TO CONCUR IN COM SUB; S-REF TO COM ON JUDIC 2.
S. 51 HIGHWAY LITTER FINE.(3/02, 3/22, 3/22, 3/23) H-REC FROM SENATE; H-PLACED ON CAL FOR APR 5.
S. 57 STOPPING ON HIGHWAYS. H-REC FROM SENATE; H-REF TO COM ON HY SAFTY.
S. 67 PUBLIC SCHOOL MERGER-COUNTIES. S-PASSED 2ND & 3RD READING.
S. 93 CIVIL PROCEDURE REVISION.(4/01) H-REC FROM SENATE; H-REF TO COM ON COURTS.
S. 95 COSTS-OF-COURT CHANGES.(4/02) S-COM AMENDS ADOPTED; S-PASSED 2ND & 3RD READING.
S. 107 LIQUOR LAW REVISION.(3/24, 3/25) H-REC FROM SENATE; H-REF TO COM ON ABC.
S. 123 FILING LEGITIMATION PETITIONS.(3/23) S-PASSED 2ND & 3RD READING.
S. 131 RAPID GROWTH-SMALL WATER SYSTEMS.(3/24, 3/30, 4/02) S-FLOOR AMEND ADOPTED; S-PASSED 3RD READING.
#S. 170 COUNCIL OF STATE MINUTES.(3/17) RATIFIED CH. 151.
S. 194 CHILD PLACEMENT SPONSORS.(3/24, 4/02) S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
S. 213 TECHNICAL CHANGES-COURTS.(4/02) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
S. 214 DRIVER LICENSE REVOCATION-PATIENTS.(4/01) S-PASSED 2ND & 3RD READING.
#S. 242 MEDICAL REVIEW NOTICE:DRIVER LIC. RATIFIED CH. 152.
S. 249 PODIATRY DEFINED. S-PASSED 2ND & 3RD READING.
S. 255 CONTINUING BAIL BONDS. S-PASSED 2ND & 3RD READING.
#S. 256 REMOVING OVER-AGE STUDENTS. RATIFIED CH. 153.
S. 263 EMPLOYMENT OF WELFARE RECIPIENTS. H-REC FROM HOUSE; H-REF TO COM ON SOC SERV.
S. 281 WORKMEN'S COMP.-TOTAL DISABILITY. H-REC FROM SENATE; H-REF TO COM ON MFR LABR.
S. 293 ARCHAEOLOGICAL SALVAGE-HIGHWAYS.(4/01) H-REC FROM HOUSE; H-REF TO COM ON ROADS.
S. 328 SETTLING LAND TITLES. S-PASSED 2ND & 3RD READING.
S. 329 BROADENING DMV AIRCRAFT USE. H-REC FROM SENATE; H-REF TO COM ON HY SAFTY.

- #S. 354 (J.RES.) INVITING GOVERNOR-APR. 8 MESSAGE. RATIFIED RES. 41.
- H. 5 PERMISSIBLE ABORTIONS.(2/22, 2/23, 2/24) S-REPTD FAV AS AMENDED; S-PLACED ON CAL FOR APR 6.
- H. 93 SECURE LOADS ON TRUCKS.(3/09, 3/11) S-PLACED ON CAL FOR APR 7.
- #H. 197 (J.RES.) ENCOURAGE CORRECTIONAL REFORM. RATIFIED RES. 42.
- H. 198 SUBDIVISION TRAFFIC RULES.(4/02) H-COM AMEND ADOPTED; H-PASSED 2ND READING.
- H. 210 SLOW VEHICLE REFLECTORS.(3/30, 3/30, 3/31) S-REC FROM HOUSE; S-REF TO COM ON HY SAFTY.
- H. 212 ADOPTION OF ABANDONED CHILDREN. S-PASSED 2ND & 3RD READING.
- H. 223 HEARING-AUTO LICENSE SUSPENSION.(4/02) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- H. 236 CLARIFY SIGNALS LAWS. H-PASSED 2ND & 3RD READING.
- H. 301 LEARNERS' PERMITS-6 MONTHS. S-PASSED 2ND & 3RD READING.
- H. 316 DEAD DOG NOTIFICATION.(4/02, X/XX) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 341 BANK FEES TO REALTORS.(4/01) S-REC FROM HOUSE; S-REF TO COM ON BANKING.
- H. 403 SIGNING SUBPOENAS. S-PASSED 2ND & 3RD READING.
- H. 405 AGRICULTURAL VEHICLE,MV LAW.(3/31, 4/01) S-REC FROM HOUSE; S-REF TO COM ON HY SAFTY.
- H. 423 FRANCHISE,INTANGIBLES TAX CERTIF.. H-PASSED 3RD READING.
- H. 429 BLIND RELIEF,REINVESTIGATION. S-PASSED 2ND & 3RD READING.
- H. 463 IMMUNIZATION OF CHILDREN.(4/02) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- H. 470 AUTO INSPECTION REQUIREMENTS.(3/31, 3/31) S-REC FROM HOUSE; S-REF TO COM ON HY SAFTY.
- H. 503 ENTICING SEAMEN LAW REPEALED. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
- H. 504 SECRETING SEAMEN LAW REPEALED. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
- H. 505 SEAMEN SEARCH WARRANTS REPEALED. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
- H. 506 SEAMEN CASE APPEALS ABOLISHED. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
- #H. 549 (J.RES.) MEMORIALIZING YOUNG. RATIFIED RES. 43.
- #H. 550 (J.RES.) HONORING BROYHILL. RATIFIED RES. 44.
- H. 561 (J.RES.) MECKLENBURG SCHOOL CASE. H-POSTPONED TO APR 6.

LOCAL BILLS

- S. 260 (LENOIR) KINSTON REALTY SALES.(3/30) H-REC FROM HOUSE; H-REF TO COM ON LOC GOVT.
- H. 14 (TYRRELL) COLUMBIA SPENDING PROCEDURE.(2/22) S-PASSED 2ND & 3RD READING.
- H. 19 (ORANGE) MASTER FORM MORTGAGES. S-PASSED 2ND & 3RD READING.
- H. 413 (ALAMANCE) WOUND REPORTS BY HOSPITALS. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

- H. 490 (GUILFORD) COMMUNITY SERVICE FACILITIES. H-PASSED 2ND & 3RD READING.
- H. 518 (GUILFORD) AUTHORIZING FUND INVESTMENT. H-PASSED 2ND & 3RD READING.
- H. 527 (MECKLENBURG) CHARLOTTE'S MASONIC TEMPLE. S-PASSED 2ND & 3RD READING.

Next Sessions of Senate and House: 9:30 a.m., Saturday, April 3, 1971;
8:00 p.m., Monday, April 5, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 59

-431-

MONDAY, APRIL 5, 1971

Note: The Senate convened at 9:30 a.m. and the House at 9:30 a.m. on Saturday, April 3, 1971, for consideration of local bills only. No bills were introduced and no calendar action was taken in either Chamber.

PUBLIC BILLS INTRODUCED

SENATE

S 380 Local retirem't system admn.
Introducers: Burney and Bailey

GS 128
Sent to ST GOVT

"Relating to administering the North Carolina Local Governmental Employees' Retirement System." (1) Redefines "average final compensation" in GS 128-21(5) to mean average annual compensation during five consecutive calendar years of service producing highest such average (now, 5 consecutive highest within last 10 years). (2) Adds definition of "compensation" as meaning all salaries and wages derived from public funds earned by member for service as employee in unit of System for which performing full-time work. (3) Amends GS 128-21 by adding new subsection (11a) defining "filing." (4) Amends GS 128-21(19) to provide that for member's retirement to become effective in any month, member must render no service in that month. (5) Amends GS 128-21(a), relating to municipalities, and GS 128-21(b), relating to counties, to provide for participation in System upon favorable vote of majority of employees of unit and to permit appropriations and raising of funds for unit's contributions to System. (6) Amends GS 128-24(4)c to provide that when member who retires on early or service retirement allowance is restored to service prior to age 62, his allowance upon subsequent retirement equals allowance to which he would have been entitled if he were retiring for first time (calculated on basis of total creditable service) less actuarial equivalent of retirement benefits received before restoration to service. (7) Rewrites GS 128-24(4)d to provide that when member who retires on early or service retirement allowance is restored to service after age 62, his allowance shall be reduced (if necessary) so that sum of allowance and earnings from employment for any calendar year will not exceed member's average final compensation (in no event is allowance to be less than amount of annuity as defined in GS 128-21(3)). (8) Amends GS 128-24(5)b to permit member to qualify for early retirement at age 50 or over if he has 20 or more years of creditable service, upon certain conditions. (9) Amends GS 128-26(a) to permit credit by employer to employees on account of earlier service to same employer or to other similar employers (as defined in GS 128-21(11)), and on account of prior military service, under stated conditions, and further amends said section to allow for credit for prior military service for employees retiring after July 1, 1971, under stated conditions. (10) Amends GS 128-26(e) to provide that unused sick leave may be applied only to increase amount of benefits for which member otherwise has qualified and not for computing creditable service for determining eligibility for service retirement, disability retirement, early retirement or vested deferred allowance. (11) Adds to GS 128-26(e) provision allowing retired member who returns



to service for at least 5 years to repay to System lump sum (equal to amount withdrawn plus interest) in order to increase creditable service by amount of such service lost when he retired. (12) Allows member over age 65 to be retained in service upon approval of employer on year-to-year basis, and repeals GS 128-27(e)(3). (13) Amends GS 128-27(e)(2) to provide that when person retires for disability and is restored to service at compensation not less than his average final compensation, he again becomes member of System if he is below age 62. (14) Adds new provision to GS 128-27(e) that, upon subsequent retirement of person originally retired for disability, his allowance is not less than allowance to which he would have been entitled if he were retiring for the first time (calculated on basis of total creditable service less actuarial equivalent of benefits previously received). (15) Amends GS 128-27(g) (Option 5) so that member may receive reduced retirement allowance (under Options 2 or 3), guaranteeing pro-rata refund of contributions for benefit of legal representatives or other designees if member and beneficiaries die within 10 years after member's retirement. (16) Amends GS 128-27(l) to provide member deemed to be in service at date of death if last day of actual service was within 90 days of death (extends death benefits for 90 days without regard to status of applications for refund or retirement benefits). (17) Rewrites GS 128-27(f) and (m) to provide that, on death of member over age 55 or after 30 years' service, principal beneficiary may receive all contributions plus interest or same monthly benefits to which deceased member would have been entitled under Option 2 (reduced retirement allowance). (18) Deletes from GS 128-30(b)(1) provision that employer shall not have deduction made for annuity purposes from compensation of member who elects not to contribute if he has attained age 60 and has completed 35 years of service. (19) Rewrites GS 128-30(b)(3) to provide for administration of annuity savings fund and annuity reserve fund. (20) Amends GS 128-30(b)(1) to provide (in second sentence) for uniform application of rates to all members of System, without regard to class. (21) Amends GS 128-30(b) by adding new subsection (4) relating to continuing contributions by employees on certain leaves of absence, and conforms GS 128-26, GS 128-27(1), GS 128-30(d)(1). (22) Amends GS 128-34 to permit member to transfer to Teachers' and State Employees' Retirement System upon certain conditions, and to provide for transfer from Teachers' and State Employees' Retirement System to Local System upon certain conditions. Effective July 1, 1971.

S 381 Increased local retirement benefits
Introducers: Burney and Bailey

GS 128
Sent to ST GOVT

"Enlarging and extending benefits of the North Carolina Local Governmental Employees' Retirement System." (1) Amends GS 128-24(5)a to reduce from 12 to 5 the number of years of service required for a member to become eligible for vested deferred allowance, and amends GS 128-24(1a) to add provision that member shall, after July 1, 1971, cease to be member only if he withdraws accumulated contributions, becomes beneficiary or dies. (2) Deletes "actuarial equivalent" provisions of GS 128-24(5)b, and sets up schedule of early retirement allowances based on ages 50 through 59, with percentage reductions of 50% to 7% (depending on age) (reportedly has effect of approximating actuarial equivalents for women). (3) Amends GS 128-27(c) to reduce from 10 to 5 the number of years of service required for eligibility for disability retirement. (4) Changes dates in GS 128-27(d2) to allow for disability retirements on or after July 1, 1969, "but before July 1, 1971" (adds quoted language). (5) Adds new subsection (d3) to GS 128-27 to make disability benefit henceforth equal to service retirement allowance calculated on basis of years of service that members would have had at age 65 (benefit to be not less than provided by GS 128-27(d2) in cases of members whose creditable service commenced prior to July 1, 1971). (6) Amends GS 128-27(f) so that member who ceases to be employee (except for reason of death or retirement) is entitled to be paid sum of his contributions to system and accumulated regular interest thereon

after leaving service and receiving payment) if he has not in meantime returned to service (now, if member is under 60 years, he receives only one-half of accumulated regular interest). (7) Amends GS 128-27(k) to provide increase in retirement allowance (from 1-4%) according to increase in cost-of-living index (from 1.00 to 1.35% per annum) under certain conditions (maximum cost-of-living increase now 3%, to be raised to 4%). (8) Adds new GS 128-27(n) to increase monthly benefits to persons who retired before July 1, 1965, by amount of 20%, and to increase monthly benefits to persons who retired after June 30, 1965 but before July 1, 1967, by amount of 5%. Effective July 1, 1971.

S 382 Disorderly conduct
Introducer: Bailey

GS 14
Sent to JUDIC 2

"Prohibiting disorderly conduct." Rewrites GS 14-288.4(a)(1) to define disorderly conduct as publicly engaging in fighting or other violent conduct or in conduct creating the imminent threat of fighting or other violence (now, to engage in fighting or in violent, threatening, or tumultuous behavior). Amends GS 14-288.4(a)(2) definition of disorderly conduct as public utterance, gesture, display or abusive language likely to provoke the average person to retaliation and thereby cause a breach of the peace (eliminates from definition act or language which disturbs or alarms another person). Rewrites GS 14-288.4(a)(3) definition of disorderly conduct as willfully or wantonly creating a hazardous and physically dangerous condition (now, hazardous or physically offensive condition).

S 383 Autistic children training
Introducer: Larkins

GS 116
Sent to MENTAL H

"To establish a special program for the training and education of children with severe learning, communication and behavior disorders." Directs Dean of School of Medicine of UNC to establish Institute for the Treatment and Education of Children Afflicted with Autism and Related Communications Handicaps, the Institute to consist of three regional centers located at or near ECU, UNC-Asheville, and UNC-CH and to have the function of identifying, evaluating and educating children with autism and related disorders. Directs Dep't of Public Instruction to support and assist Institute, and directs Institute to make funds available to establish local classes, apportioned equally among the three areas. Gives Dean of Med School authority to formulate rules and regulations for accomplishment of act and to set standards for admission of pupils to classes.. Appropriates \$497,769 to Med School Dean to provide for capital improvement projects necessary for three regional centers, and \$650,000 for fiscal 1971-72 for annual program support of Institute. Effective July 1, 1971.

S 385 State-owned vehicles-tags
Introducer: Kirby

GS 20
Sent to ROADS

"To amend G.S. 20-84 by adding a new paragraph at the end thereof requiring permanent registration plates for state-owned vehicles to be a distinctive color." Adds new paragraph at end of GS 20-84 requiring that vehicles bearing permanent registration plates owned by the State and in operation as of Oct. 1, 1971 shall be re-registered during Oct., Nov., and Dec. and shall be issued permanent plates of a distinctive color which shall be readily distinguishable from all other permanent registration plates.

S 386 Small business management program (Iden. H 556)
Introducers: Allen and Patterson

APPROPRIATION
Sent to APPROPN

"Appropriating funds to the Department of Conservation & Development,

in order to establish a Small Business Management Development Section within the Division of Commerce and Industry." Identical with H 556, digested in Bulletin No. 57, p. 413.

HOUSE

H 580 East Rutherford HS Band MISC RES
Introducers: Jones and others Passed three readings

"Recognizing the East Rutherford High School Band." As title indicates.

H 581 Closing a class with a bond GS 41
Introducer: Phillips Sent to JUDIC 2

"To amend G.S. 41-11.1 so as to permit payment of proceeds of sale to the living members of the class of heirs as then constituted upon condition that a bond be posted to ensure payment of their lawful share to any members of the class subsequently born." Adds new provision to GS 41-11.1 to provide that in addition to investing proceeds of sale of property bequested to a class the trustee appointed by clerk may be authorized by clerk to pay entire amount of proceeds to living members of class as then constituted, or to pay ratable portions of proceeds to one or more living members if mothers of members of class are at least 55, with restriction that bond be filed with clerk conditioned upon payment of share to any member of class who may thereafter come into being. Requires bond be payable to State and be premium bond executed by surety company authorized to do business in NC, the penalty of the bond to be not less than one and one-fourth times the amount of proceeds of sale. Makes act applicable to gifts, devises, bequests, transfers, and conveyances made both before and after ratification date of act.

H 583 Swine research facility appropri'n APPROPRIATION
Introducers: Burrus and Roberson Sent to APPROPN

"Appropriating funds to the Department of Agriculture for constructing and equipping facilities for research work in swine at the Tidewater Research Station." Appropriates \$103,112 for 1971-73 biennium as title indicates. (Effective July 1, 1971.

H 588 Alston House funds (Iden. S 376) APPROPRIATION
Introducers: Auman and others Sent to APPROPN

"To appropriate funds for the House in the Horseshoe (Alston House) in Moore County." Identical with S 376, digested in Bulletin No. 58, p. 421.

H 591 Judicial divisions
Introducer: Miller

GS 7A
Sent to COURTS

"To redefine the judicial divisions and the judicial districts of the State." Divides State's 30 judicial districts into eight (now, four) judicial divisions (counties in each judicial district remain the same) as follows: division I to include districts 1, 2, 6, and 7; division II to include districts 3, 4, 5, and 8; division III to include districts 9, 10, 14, and 15; division IV to include districts 11, 12, 13, and 16; division V to include districts 17, 21, 22, and 23; division VI to include districts 18, 19, and 20; division VII to include districts 24, 28, 29, and 30; and division VIII to include districts 25, 26, and 27. Provides number and boundaries of solicitorial districts to be identical with judicial districts as set forth in act. Deletes language following GS 7A-41 chart as to selection and duties of senior regular resident superior court judge. Effective Oct. 1, 1971.

H 593 Cause of action accrual
Introducer: Twiggs

GS 1
Sent to JUDIC 2

"To provide that a cause of action accrues when injury is or should have been known." Adds new subsection to GS 1-15 providing that cause of action where injury, disease, death or damage occurs does not accrue until injury is actually inflicted, or death occurs, or disease, damage or injury is diagnosed or should have been discovered, whichever event occurs later.

LOCAL BILLS INTRODUCED

SENATE

S 384 Authority to order autopsies (Iden. H 592)
Introducer: Kirby

WILSON
Sent to PUB HLTH

"To authorize the Coroner and Health Director of Wilson County to order autopsies." Identical with H 592, digested in the House section of today's Bulletin.

HOUSE

H 582 Add'l. seat of dist. court
Introducers: J. M. Johnson and Gardner

JOHNSTON, GS 7A
Sent to COURTS

"To establish an additional seat of court in Johnston County." Amends GS 7A-133 as title indicates to add Clayton as additional seat of court.

H 584 Long View tax discounts
Introducers: Warlick and Beard

CATAWBA, GS 105
Sent to LOC GOVT

"To amend G.S. 105-345 to allow a discount for payment of taxes within 15 days after mailing of tax statements in the Town of Long View." Amends section as title indicates to allow granting of discount of up to 2%.

H 585 Bail bondsmen
Introducers: Long and Harris (by request)

ALAMANCE, GS 85A
Sent to JUDIC 1

"To include Alamance County under the provisions of Chapter 85A-34 of the General Statutes relating to bail bondsmen and runners." Amends GS 85A-34 as title indicates. Effective July 1, 1971.

H 586 Hunting on roads, hiways
 Introducer: Long

ALAMANCE
Sent to WILDLIFE

"To prohibit the taking of game from public roads and highways in Alamance County." Prohibits the taking of game by use of firearms from Alamance roads and road rights-of-way. Provides fine up to \$50 or imprisonment up to 30 days or both, and directs that all lawful peace officers, including wildlife game protectors, enforce law.

H 587 Corporate limits-Town of King
 Introducer: Gentry

STOKES
Sent to LOC GOVT

"To amend Chapter 876 of the Session Laws of 1965, as amended by Chapter 1194 of the Session Laws of 1969, relating to the corporate limits of the Town of King." Adds new territory, described in detail in bill, to town limits of King as set out in charter enacted as Ch. 876 SL 1965 and as Ch. 1194, SL 1969. Repeals Sec. 7.5 of charter which had added proviso to GS 160-402 to prohibit King board of commissioners from levying ad valorem tax at rate in excess of 25¢ on \$100 valuation unless approved by majority of voters in special election, the board having authority to call election.

H 589 Ambulance bills
 Introducer: Rogers

VANCE
Sent to LOC GOVT

"To provide a penalty for non-payment of ambulance bills in Vance County." Adds Vance County to GS 14-111.2 (obtaining ambulance service without intent to pay made a crime).

H 590 Youngsville ABC election
 Introducer: Speed

FRANKLIN
Sent to ABC

"To authorize a referendum in the Town of Youngsville alcoholic beverage control stores." Authorizes Youngsville Board of Commissioners on own motion (discretionary) or upon receipt of petition signed by voters equal to 15% of votes for mayor in most recent election (mandatory) to call special election on establishment of ABC stores, notice of the election to be given 15 days in advance. Authorizes Board to establish ABC Board if stores approved, the three members of that board to be appointed by commissioners (who will also fix compensation) and to serve three-year staggered terms. Grants ABC Board powers and duties of GS 18-45 except those of subsection (15) (expenditure of profits for law enforcement, alcoholism programs, etc.), and subjects Board to authority of ABC Board under GS 18-39 except for the provisions of subsection (10) (State Board's control over opening and location of new county stores). Requires profits from stores be paid to Town.

H 592 Authority to order autopsies (Iden. S 384)
 Introducer: Paschall

WILSON
Sent to JUDIC 1

"To authorize the Coroner and Health Director of Wilson County to order autopsies." Authorizes Coroner and Health Director of Wilson County to order autopsies; provides act shall not impair authority of medical examiner.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

None

HOUSE BILLS

H 428 Blind relief, state residence (original bill digested in Bulletin No. 43, p. 310)

Amendment adopted in House 4/5/71 makes technical change only.

H 466 Regional jail operations (original bill digested in Bulletin No. 47, p. 338)

Amendments adopted in House 4/5/71 (1) make clarifying changes in language specifying number of representatives of each local governmental unit on district or regional jail commissions, and (2) require financial contribution to commission from each participating unit of local government based on percentage of population of each unit in proportion to total population of all participating units.

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 51 HIGHWAY LITTER FINE.(3/02, 3/22, 3/22, 3/23, 4/05)
 H-RECONSIDERED 3RD READING; H-AMENDMENT RECONSIDERED; H-AMEND POSTPONED INDEF; H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING.
- S. 67 PUBLIC SCHOOL MERGER-COUNTIES. H-REC FROM SENATE; H-REF TO COM ON EDUCATN.
- S. 100 STATE CAPITAL POLICE ARREST POWER.(2/17) S-REPTD FAV AS AMENDED.
- #S. 123 FILING LEGITIMATION PETITIONS.(3/23) RATIFIED CH. 154.
- S. 131 RAPID GROWTH-SMALL WATER SYSTEMS.(3/24, 3/30, 4/02) H-REC FROM SENATE; H-REF TO COM ON HEALTH; H-RECALLED FROM COM; H-RE-REF TO COM ON WATER.
- S. 194 CHILD PLACEMENT SPONSORS.(3/24, 4/02) H-REC FROM SENATE; H-REF TO COM ON JUDIC 2.
- S. 213 TECHNICAL CHANGES-COURTS.(4/02) H-REC FROM SENATE; H-REF TO COM ON COURTS.
- S. 214 DRIVER LICENSE REVOCATION-PATIENTS.(4/01) H-REC FROM SENATE; H-REF TO COM ON MENTAL H.
- S. 230 GASOLINE ADVERTISING.(3/30) S-PLACED ON CAL APR. 7.
- S. 249 PODIATRY DEFINED. H-REC FROM SENATE; H-REF TO COM ON JUDIC 2.
- S. 255 CONTINUING BAIL BONDS. H-REC FROM SENATE; H-REF TO COM ON COURTS.
- S. 276 RURAL FIRE DISTRICTS EXCLUSIONS. S-PASSED 2ND & 3RD READING.
- S. 280 WORKMEN'S COMP.-RADIATION WORKERS. S-PASSED 3RD READING.
- S. 328 SETTling LAND TITLES. H-REC FROM SENATE; H-REF TO COM ON JUDIC 1.
- H. 91 INDECENT EXPOSURE ACT. H-RECALLED FROM COM; H-RE-REF COM ON JUDIC 1.
- H. 115 GREAT SEAL OF THE STATE.(3/19) S-PASSED 2ND READING.
- H. 198 SUBDIVISION TRAFFIC RULES.(4/02) H-PLACED ON CAL APRIL 7.
- #H. 212 ADOPTION OF ABANDONED CHILDREN. RATIFIED CH. 157.
- H. 223 HEARING-AUTO LICENSE SUSPENSION.(4/02) H-REC FROM SENATE; H-CONCURRED IN S AMEND.
- H. 236 CLARIFY SIGNALS LAWS. S-REC FROM HOUSE; S-REF TO COM ON HY SAFTY.
- #H. 301 LEARNERS' PERMITS-6 MONTHS. RATIFIED CH. 158.
- H. 316 DEAD DOG NOTIFICATION.(4/02, X/XX) S-REC FROM HOUSE; S-REF TO COM ON ROADS.
- #H. 403 SIGNING SUBPOENAS. RATIFIED CH. 159.

- H. 423 FRANCHISE, INTANGIBLES TAX CERTIF.. S-REC FROM HOUSE; S-REF TO COM ON FINANCE.
- H. 428 BLIND RELIEF, STATE RESIDENCE. (4/05) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- #H. 429 BLIND RELIEF, REINVESTIGATION. RATIFIED CH. 160.
- H. 460 AID-TO-BLIND, INTERCOUNTY TRANSFER. H-PASSED 2ND & 3RD READING.
- H. 463 IMMUNIZATION OF CHILDREN. (4/02) H-REC FROM SENATE.
- H. 466 REGIONAL JAIL OPERATIONS. (4/05) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 467 JONES COUNTY-HUNTING ON HIGHWAYS. H-PASSED 2ND & 3RD READING.
- H. 532 CONTRACTOR LICENSE CHANGES. H-PASSED 2ND & 3RD READING.
- H. 580 (J.RES.) EAST RUTHERFORD HS BANC. H-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 330 (ROBESON) LUMBERTON MAYOR & COUNCILMEN. S-REPTD FAV.
- S. 341 (TRANSYLVANIA) SHERIFF'S DEP'T OPERATIONS. S-REPTD FAV.
- #H. 14 (TYRRELL) COLUMBIA SPENDING PROCEDURE. (2/22) RATIFIED CH. 155.
- #H. 19 (ORANGE) MASTER FORM MORTGAGES. RATIFIED CH. 156.
- H. 426 (BEAUFORT) AUTO REMOVAL LIENS, WASHINGTON. S-REPTD FAV.
- H. 441 (CLEVELAND) INCORPORATING POLKVILLE. (3/29) S-REPTD FAV.
- H. 443 (YADKIN) COUNTY COMM'R NOMINATIONS. S-REPTD FAV.
- H. 490 (GUILFORD) COMMUNITY SERVICE FACILITIES. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 518 (GUILFORD) AUTHORIZING FUND INVESTMENT. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- #H. 527 (MECKLENBURG) CHARLOTTE'S MASONIC TEMPLE. RATIFIED CH. 161.

DAILY BULLETIN

The General Assembly of North Carolina

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BULLETIN NO. 60

-441-

TUESDAY, APRIL 6, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 387 Creating NC Manpower Council (Iden. H 600)
Introducer: Scott

GS 143
Sent to ST GOVT

"To establish the North Carolina Manpower Council." Identical with H 600,
digested in House section of today's Bulletin.

S 388 Optional soft drink tax payments (Iden. H 599)
Introducers: Moore and others

GS 105
Sent to FINANCE

"To amend the Soft Drink Tax Act to provide an optional method for paying the tax on soft drink syrups and powders." Identical with H 599, digested in House section of today's Bulletin.

S 389 Crown tax refund-nonprofit groups (Iden. H 598)
Introducers: Moore and others

GS 105
Sent to FINANCE

"To amend the Soft Drink Tax Act to provide for refunds to nonprofit religious, educational and charitable institutions." Identical with H 598, digested in House section of today's Bulletin.

HOUSE

H 595 Depositions in criminal cases
Introducer: R. Jones

GS 8
Sent to JUDIC 2

"To authorize the State to use depositions in criminal cases." Amends GS 8-74 to grant the prosecution the same rights to the use of depositions presently available to defendant. Deletes reference in GS 8-74 to the taking of depositions by justices of the peace.

H 596 Securities Law exemption
Introducer: Short

GS 78
Sent to JUDIC 2

"To amend G.S. 78-4 relating to certain transactions exempt from the Securities Law." Adds to GS 78-4(9) provision exempting from Securities Law subscriptions for interests in a partnership (now, only subscriptions for shares of capital stock or corporation), prior to the recording of the certificate of such partnership, when no expense is incurred, and no commission, compensation or remuneration is paid or given for, or in connection with, the sale or disposition of such securities.



H 598 Crown tax refund-nonprofit groups (Iden. S 389) GS 105
Introducers: Leatherman and others Sent to FINANCE

"To amend the Soft Drink Tax Act to provide for refunds to nonprofit religious, educational and charitable institutions." Rewrites GS 105-113.56 to add subsection directing Comm'r of Revenue to make annual refunds to nonprofit hospitals, educational institutions, churches, orphanages or other charitable or religious institutions and organizations, of soft drink taxes previously paid on concentrated natural frozen or unfrozen fruit juices and vegetable juices; organizations entitled to refund include governmental agencies owned and controlled by federal, NC or local governments. Sets out procedures for organizations obtaining refund by filing written request and proof of payment of tax on or before April 15 each year. Sets forth schedule of penalties for late filings of applications for refunds. Effective July 1, 1971.

H 599 Optional soft drink tax payments (Iden. S 388) GS 105
Introducers: Leatherman and others Sent to FINANCE

"To amend the Soft Drink Tax Act to provide an optional method for paying the tax on soft drink syrups and powders." Deletes GS 105-113.51(e) (providing excise tax levied upon soft drink powders to be made and evidenced in accordance with rules and regulations of the Comm'r of Revenue). Adds new GS 105-113.56B to provide excise tax on all items subject to Soft Drink Tax Act other than bottled soft drinks may be paid by distributors and wholesale dealers (both resident and nonresident) in following manner: beginning with sales made on and after July 1, 1971, sales reports to be made to Comm'r on or before 15th of each succeeding month, accompanied by payment of tax due less discount of 8%; all persons paying tax in this manner to be subject to such rules and regulations as Comm'r may prescribe, including requirement of such bond as Comm'r deems advisable; taxpayers electing to pay under optional method shall pay tax on those powder bases prepared for purposes of domestically mixing soft drinks such as Kool-Aid, Oh Boy Drink, Tip-Top, Miracle Aid and similar products at rate of 1¢ per ounce sold during report period, rather than at the rate provided for in GS 105-113.45(d) (1¢ per ounce of powder sold unless to be used as base for making syrup). Effective July 1, 1971.

H 600 Creating NC Manpower Council (Iden. S 387) GS 143
Introducer: S. Johnson Sent to JUDIC 1

"To establish the North Carolina Manpower Council." Creates Council, to be part of NC Dep't of Administration as primary NC agency to plan and coordinate manpower planning and development programs; council to be administered by its Administrator under policies, rules, regulations adopted by Council. Requires membership of 12 citizens qualified to recognize and develop policies and programs to meet manpower needs; membership not to be considered dual office-holding under NC constitution; Governor to make appointments, fill vacancies and designate chairman; members to serve four-year staggered terms; sets forth functions of planning and promoting development of State manpower plan, coordinating manpower programs, sponsoring federal manpower programs in NC, adopting rules, regulations and procedures, advising General Assembly, Governor and State and other governmental agencies, and reporting to each session of General Assembly on its activities, with recommendations. Requires Dep't of Administration to furnish staff and other State government agencies to furnish information, upon request. Specifies Cooperative Area Manpower Planning System Committee to be technical advisory body to Council.

H 604 Congressional districts-3
Introducer: Miller

GS 163
Sent to CONGRESS

"To divide North Carolina into eleven Congressional districts." Rewrites
GS 163-201 to establish eleven Congressional districts as follows:

- District 1: Beaufort, Bertie, Camden, Chowan, Craven, Currituck, Dare, Gates, Halifax, Hertford, Hyde, Jones, Lenoir, Martin, Pamlico, Pasquotank, Perquimans, Pitt, Tyrrell, Washington.
- District 2: Edgecombe, Franklin, Granville, Greene, Johnston, Nash, Northampton, Vance, Warren, Wayne, Wilson.
- District 3: Chatham, Cumberland, Duplin, Harnett, Lee, Montgomery, Moore, Sampson.
- District 4: Caswell, Durham, Orange, Person, Wake.
- District 5: Alleghany, Ashe, Forsyth, Surry, Stokes, Rockingham, Wilkes, Yadkin.
- District 6: Alamance, Guilford, Randolph.
- District 7: Bladen, Brunswick, Carteret, Columbus, Hoke, New Hanover, Onslow, Pender, Robeson, Scotland.
- District 8: Alexander, Anson, Davidson, Davie, Iredell, Richmond, Stanly, Rowan, Union.
- District 9: Cabarrus, Lincoln, Mecklenburg.
- District 10: Avery, Burke, Caldwell, Catawba, Cleveland, Gaston, Watauga.
- District 11: Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania, Yancey.

Makes 11th district only one to remain same as present. (For other Congressional districting bills see S 42, digested in Bulletin No. 8, p. 47 and Committee Substitute digested in Bulletin No. 28, p. 193; H 128, identical with original S 42 and with current districting; and H 605, digested in today's Bulletin.)

H 605 Congressional districts-4
Introducer: Green

GS 163
Sent to CONGRESS

"To divide North Carolina into eleven Congressional districts." Rewrites
GS 163-201 to establish eleven Congressional districts as follows:

- District 1: Beaufort, Bertie, Camden, Carteret, Chowan, Craven, Currituck, Dare, Gates, Greene, Hertford, Hyde, Jones, Lenoir, Martin, Pamlico, Pasquotank, Perquimans, Pitt, Tyrrell, Washington.
- District 2: Edgecombe, Franklin, Halifax, Nash, Northampton, Wake, Warren.
- District 3: Duplin, Harnett, Johnston, Onslow, Pender, Sampson, Wayne, Wilson.
- District 4: Alamance, Caswell, Chatham, Durham, Granville, Lee, Orange, Person, Vance.
- District 5: Alleghany, Ashe, Davidson, Forsyth, Surry, Watauga, Wilkes.
- District 6: Guilford, Randolph, Rockingham, Stokes.
- District 7: Bladen, Brunswick, Columbus, Cumberland, New Hanover, Robeson.
- District 8: Anson, Cabarrus, Davie, Hoke, Montgomery, Moore, Richmond, Rowan, Scotland, Stanly, Union, Yadkin.
- District 9: Iredell, Lincoln, Mecklenburg.
- District 10: Alexander, Avery, Burke, Caldwell, Catawba, Cleveland, Gaston.
- District 11: Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Swain, Transylvania, Yancey.

Makes 11th district only one to remain same as present. (For other Congressional districting bills see H 604, digested in today's Bulletin, and previous bills cited in that digest.)

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 594 Tryon School Bd. appointments
introducer: Jones

POLK
Sent to EDUCATN

"To appoint members of the Tryon City Board of Education." Appoints Woodrow L. Hague, Dr. J.T. Mize, Russell Constance, Guynell Smith and Ralph Lawrence members of Tryon City Board of Education, term of office of each to be two years and to begin April 1, 1971.

H 597 Biscoe street and sewer condemnation
Introducer: Ingram

MONTGOMERY
Sent to LOC GOVT

"To amend the Town Charter of the Town of Biscoe in Montgomery County."
Amends charter (Ch. 258, Priv. Laws 1923) by adding provision that town may lay out, open, change or widen streets and lay out, construct and maintain sewer lines, all within town corporate limits. Grants power of condemnation, if cannot otherwise acquire lands. Sets forth condemnation procedures (appraisal, tender of appraised value, and vesting of title) and 30-day appeal rights.

H 601 Mocksville police jurisdiction-1 mi.
Introducers: Huskins and A. Smith

DAVIE
Sent to LOC GOVT

"To extend the territorial jurisdiction of the city police of the Town of Mocksville in Davie County to one mile from the corporate limits of the Town of Mocksville." Authorizes Mocksville law enforcement officials to make arrests and enforce criminal law up to one mile outside town limits.

H 602 Statesville-Iredell Civic Center
Introducer: Huskins

IREDELL
Sent to LOC GOVT

"To create the Statesville-Iredell Civic Center Authority and to authorize the issuance of bond therefor." Creates Statesville-Iredell Civic Center Authority, five members to be: Mayor of Statesville, Chr. of Iredell County Bd. of Comm'rs, Chr. of Mitchell College Bd. of Trustees, and two members of public with 4-year staggered terms appointed by three ex officio members; membership to elect officers. Authorizes Authority to take steps necessary to acquire and operate Civic Center (including acquiring property, employing architects, contracting for services and materials, employing personnel) and to issue revenue bonds for its acquisition, equipping or extension, under the Revenue Bond Act of 1938 (G.S. 160, Art. 34). Authorizes Iredell Bd. of County Comm'rs in its discretion without petition to submit to county's voters question of special property tax not to exceed 15¢ per \$100 property valuation; election to be conducted by county bd. of elections; if favorable, collected funds to go to Authority.

H 603 Community hospital tax
Introducers: Josey and Everett

HALIFAX
Sent to LOC GOVT

"To levy a tax upon property in certain townships of Halifax County for the operation, maintenance and equipping of 'Our Community Hospital, Inc., a nonprofit, charitable organization!'" Amends Ch. 225, S.L. 1963, to delete requirement that special election on issue of levying tax for said hospital be held within 4 years of ratification of Ch. 225. Adds provision authorizing Bd. of County Comm'rs to order special election in Scotland Neck, Palmyra, Roseneath and Conoconara Townships on issue of levy of special tax for said hospital purposes. Levy to be in addition to 20¢ levy for general purposes, and in addition to other township and constitutionally permitted taxes. Allows subsequent special elections on issue of adopting tax, but prohibits special elections on issue of repeal of tax from being held within 4 yrs. after special election authorizing tax is held. Sets forth procedure for calling by petition of 15% of voters and holding special election on tax repeal. Reenacts Ch. 225, S.L. 1963; repeals Ch. 432, S.L. 1967 and Ch. 110, S.L. 1967, amending Ch. 225.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 100 State capital police arrest power (original bill digested in Bulletin No. 16, p. 101; Senate amendment 2/17/71 digested in Bulletin No. 25, p. 176)
Amendment adopted in Senate 4/6/71 broadens jurisdiction of State capital police from State property in Raleigh to property owned, leased or maintained by State which is located in Wake County.

S 154 Notaries; acts validated (digested in Bulletin No. 26, p. 172)
Committee Substitute adopted in House 4/6/71 amends GS 10-12 to validate acts of person performed after appointment or reappointment as notary public (now, after appointment) and prior to qualification: (1) in taking any acknowledgment, or (2) in notarizing any instrument (eliminates (3) as to performing any act purportedly in the capacity of a notary public).

S 212 Divorce complaints (digested in Bulletin No. 36, p. 253)
Committee Substitute adopted in House 4/6/71 simplifies language of original bill without making substantive changes.

HOUSE BILLS

H 5 Permissible abortions (original bill digested in Bulletin No. 1, p. 6; House Committee Substitute digested in Bulletin No. 29, p. 200; House amendments to Committee Substitute digested in Bulletin No. 30, p. 206, and in Bulletin No. 31, p. 214)

Five amendments to House Committee Substitute adopted in Senate 4/6/71 do the following: (1) eliminate need for written permission if pregnancy resulted from rape or incest and rape was reported to law enforcement agency within 10 days; (2) eliminate provision restricting claims for payment of abortion services to be made to anyone other than party consenting to abortion; (3) make physician, medical assistant and hospital immune from criminal or civil liability for failure to obtain husband's written consent if he acted in good faith upon written representation of woman that she was single or not living with husband; (4) substitutes requirement that woman certify that she has been NC resident for 30 days for requirement that she "shall have" resided in NC for that time; (5) qualifies requirement for doctor's statement that pregnancy is less than 12 weeks gestation be only "in his opinion."

H 115 Great Seal of the State (digested in Bulletin No. 14, p. 89)

Amendment adopted in Senate 4/6/71 provides act shall not invalidate any Seal presently on display or heretofore used.

H 199 Par banking (digested in Bulletin No. 23, p. 151)

Amendments adopted in House 4/6/71 provide act shall become effective December 31, 1972 (originally, July 1, 1971).

H 353 Protective lenses (digested in Bulletin No. 35, p. 247)

Committee Substitute adopted in House 4/6/71 changes penalty provisions by making violation misdemeanor punishable by maximum fine of \$500 or maximum imprisonment of 6 months, or both (was fine only). Changes effective date from ratification to July 1, 1971.

H 499 Dangerous weapons at schools (digested in Bulletin No. 51, p. 364; House amendments 3/31/71 digested in Bulletin No. 56, p. 405)

Amendment adopted in House 4/6/71 substitutes words "slungshot, leaded cane" for "slingshot, loaded cane."

H 561 (Joint Resolution) Mecklenburg school case (digested in Bulletin No. 57, p. 414)

Amendment adopted in House 4/6/71 makes minor changes in wording of resolution.

SENATE AND HOUSE

CALENDAR ACTION

APR. 06, 1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 23 SAFE DRIVERS' LICENSE RENEWAL. S-REPTD UNFAV-MIN REPORT;
S-PLACED ON CAL FOR APR 8.
S. 51 HIGHWAY LITTER FINE.(3/02, 3/22, 3/22, 3/23, 4/05) S-REC TO
CONCUR H AMENDS; S-PLACED ON CAL FOR APR 7.
S. 74 TUITION AID-MEDICAL STUDENTS. S-REPTD FAV AS AMENDED; S-RE-REF
COM ON APPROPN.
#S. 76 SCHOOL SEWER EASEMENTS.(2/02) H-REPTD UNFAV.
S. 95 COSTS-OF-COURT CHANGES.(4/02) H-REC FROM SENATE; H-REF TO
COM ON COURTS.
S. 100 STATE CAPITAL POLICE ARREST POWER.(2/17, 4/06) S-COM AMEND
ADOPTED; S-FLOOR AMEND FAILED; S-PASSED 2ND READING.
S. 154 NOTARIES' ACTS VALIDATED.(4/06) H-REPTD FAV COM SUBSTITUTE;
H-COM SUBSTITUTE ADOPTED.
S. 189 LANDSCAPE ARCHITECT CORPORATIONS. H-POSTPONED TO APR 7.
#S. 192 CHILD PLACEMENT LIMITATION. H-REPTD UNFAV.
S. 199 LANDSCAPE ARCH GRANDFATHER.(3/24) H-PASSED 2ND & 3RD READING.
S. 212 DIVORCE COMPLAINTS.(3/10, 4/06) H-REPTD FAV COM SUBSTITUTE;
H-COM SUBSTITUTE ADOPTED.
S. 238 WORKMEN'S COMP. BENEFITS INCREASE. S-REPTD FAV.
S. 276 RURAL FIRE DISTRICTS EXCLUSIONS. H-REC FROM SENATE; H-REF TO
COM ON LOC GOVT.
S. 280 WORKMEN'S COMP.-RADIATION WORKERS. H-REC FROM SENATE; H-REF
TO COM ON MFR LABR.
S. 299 POWELL BILL FUNDS.(3/30) H-POSTPONED TO APR 7.
S. 322 EASTERN SANATORIUM OPERATIONS. S-REPTD FAV; S-RE-REF COM ON
APPROPN.
S. 335 TORT CLAIMS-STATE LIABILITY. S-REPTD FAV; S-RE-REF COM ON
APPROPN.
S. 337 WORKMEN'S COMP.-EMPLOYEE DEATH-1. S-REPTD FAV.
S. 345 (J.RES.) REQUESTING PARDON FOR CALLEY. S-REPTD FAV.
#H. 5 PERMISSIBLE ABORTIONS.(2/22, 2/23, 2/24, 4/06) S-FLOOR
AMENDS ADOPTED; S-FAILED 2ND READING; S-CLINCHER MOTION
ADOPTED.
H. 115 GREAT SEAL OF THE STATE.(3/19, 4/06) S-FLOOR AMEND ADOPTED;
S-PASSED 2ND & 3RD READING.
H. 144 LIQUOR AT POLITICAL TALKS. S-REPTD FAV.
H. 199 PAR BANKING.(4/06, 4/06) H-COM AMEND ADOPTED; H-FLOOR AMEND
ADOPTED; H-PASSED 2ND & 3RD READING.

- H. 304 TUESDAY PRIMARIES. (3/19) S-REPTD FAV.
- H. 226 FILLING PUBLIC OFFICER'S VACANCY.(3/05, 3/05) S-REPTD FAV AS AMENDED.
- H. 345 LIABILITY OF THIRD PARTY.(3/24) S-REPTD FAV.
- H. 347 ABOLISHMENT OF CORONER.(3/26) H-POSTPONED TO APR 7.
- H. 353 PROTECTIVE LENSES.(4/06) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 357 DRIVER LICENSE REVOCATION-PATIENTS. H-RECALLED FROM COM; H-RE-REF COM ON MENTAL H.
- H. 382 TO PROVIDE STORAGE LIEN. H-REPTD FAV.
- H. 410 VEHICLE REPAIR LIEN. H-REPTD FAV AS AMENDED.
- H. 427 NO GARNISHMENT,BLIND FUNDS. S-REPTD FAV.
- H. 460 AID-TO-BLIND,INTERCOUNTY TRANSFER. S-REC FROM HOUSE; S-REF TO COM ON INTERGOV.
- H. 463 IMMUNIZATION OF CHILDREN.(4/02) H-POSTPONED TO APR 8.
- H. 467 JONES COUNTY-HUNTING ON HIGHWAYS. S-REC FROM HOUSE; S-REF TO COM ON WILDLIFE.
- H. 474 NASH COUNTY-HUNTING ON HIGHWAYS. S-REPTD FAV.
- H. 499 DANGEROUS WEAPONS AT SCHOOLS.(3/31, 4/06) H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING.
- #H. 517 MANDATORY SENTENCE-FIREARM CRIMES. H-REPTD UNFAV.
- H. 532 CONTRACTOR LICENSE CHANGES. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
- H. 561 (J.RES.) MECKLENBURG SCHOOL CASE.(4/06) H-FLOOR AMEND ADOPTED; H-REF TO COM ON COURTS.
- H. 579 (J.RES.) REQUESTING CLEMENCY FOR CALLEY-2. H-REPTD FAV AS AMENDED.

LOCAL BILLS

- S. 297 (DAVIDSON) THOMASVILLE ABC ELECTION. S-REPTD FAV.
- S. 330 (ROBESON) LUMBERTON MAYOR & COUNCILMEN. S-PASSED 2ND & 3RD READING.
- S. 341 (TRANSYLVANIA) SHERIFF'S DEP'T OPERATIONS. S-PASSED 2ND & 3RD READING.
- S. 349 (SURRY) ABC STORES-DOBSON. S-REPTD FAV.
- S. 351 (SURRY) ABC STORES-MOUNT AIRY. S-REPTD FAV.
- S. 352 (SURRY) ABC STORES-PILOT MOUNTAIN. S-REPTD FAV.
- S. 379 (HALIFAX) ROANOKE RAPIDS MANAGER ELECTION. S-REPTD FAV AS AMENDED.
- H. 246 (STANLY) STANLY FOX HUNTING.(3/25) S-REPTD FAV.
- H. 387 (SCOTLAND) WAGRAM BEER AND WINE. S-REPTD FAV.
- H. 399 (BEAUFORT) MIGRATORY FOWL. S-REPTD FAV.
- H. 401 (WASHINGTON) BOBCAT HUNTING LIMITS.(3/26) S-REPTD FAV.
- H. 426 (BEAUFORT) AUTO REMOVAL LIENS,WASHINGTON. S-PASSED 2ND READING.
- H. 441 (CLEVELAND) INCORPORATING POLKVILLE.(3/29) S-PASSED 2ND READING.
- H. 443 (YADKIN) COUNTY COMM'R NOMINATIONS. S-PASSED 2ND & 3RD READING.
- H. 453 (PASQUOTANK) COUNTY TAX LISTING. S-REPTD FAV.

H. 493 (CARTERET) LEGALIZING BINGO. H-REPTD FAV AS AMENDED.

Next Sessions of Senate and House: 12 noon, Wednesday, April 7, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

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BULLETIN NO. 61

-451-

WEDNESDAY, APRIL 7, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 390 Stanly Technical Institute funds (Iden. H 619) APPROPRIATION, GS 115A
Introducer: Patterson Sent to APPROPRIATION

"To authorize establishment and funding of a technical institute in Stanly County." Authorizes State Bd. of Education to establish a technical institute in Stanly County, to be operated as member of NC Community College System. Appropriates from General Fund \$380,000 for operating expenses during 1971-73 biennium and \$175,000 for purchase of instructional and administrative equipment during biennium. Effective July 1, 1971.

S 391 NC Milk Commissioner (Iden. H 620) GS 106
Introducers: Horton and others Sent to AGRICULTURE

"Amending Article 28B of Chapter 106 of the General Statutes relating to the regulation of production and distribution of milk and cream." Identical with H 620, digested in the House section of today's Bulletin.

HOUSE

H 606 Firemen's Pension Fund eligibility GS 118
Introducers: Collins and Gentry Sent to ST PERS

"Administering the North Carolina Firemen's Pension Fund." Provides for retroactive membership in Fund as follows: persons now serving as "eligible firemen" as defined in GS 118-23 and who were serving as "eligible firemen" on Jan. 1, 1960, but failed to become members of the Fund, may become members entitled to service time credits as if they had joined Fund on Jan. 1, 1960, upon full payment of that sum of money which they would have paid into Fund had they become members on Jan. 1, 1960, plus such interest as the Fund deems fair and proper.

H 610 Local Government Finance Act GS 1, 54, 98, 107, 108,
Introducers: S. Johnson and others 115, 130, 131, 142,
153, 155, 159, 160,
162A
Sent to FINANCE

"To revise and amend the General Statutes relating to local government finance." Repeals all statutes, both general and local, concerning adoption and administration of budgets and issuance of general obligation and revenue bonds and notes by local governments, and enacts a new G.S. Ch. 159:



(1) creation, powers, and duties of the Local Government Comm'n, (2) new uniform budget and fiscal control act, (3) new uniform general obligation bond act, (4) new uniform revenue bond act, (5) revision of the procedures for executing and selling local government bonds, (6) new article regulating execution of certain long-term financing agreements that do not involve bond issuance, and (7) new article revising the laws relating to bond, tax, and revenue anticipation notes.

Local Government Comm'n. Makes no major change in the structure, powers, or duties of the Local Government Comm'n. Minor changes are as follows: (1) office of Director of Local Government is eliminated (now, Director is State Treasurer ex officio, who is also ex officio Chairman of the Local Government Commission); all duties of Director are conferred on Chairman of the Commission; (2) eliminates provision that salary of Deputy Secretary of Commission be fixed by the Governor and Advisory Budget Commission (thus subjecting this position to the State Personnel Act); (3) eliminates provision for members of Commission to give bond, and present direction that Commission elect a vice-chairman; (4) Commission members (other than ex officio members) to receive per diem and allowances provided for State boards and commissions generally (now, \$10 per day); (5) permits appeal from decisions of Executive Committee to full Commission in all instances (now, no appeal from decision approving notes running less than six months).

Local Government Budget and Fiscal Control Act. Subjects all units of local government, public authorities, special districts, and all agencies, institutions, commissions, and authorities thereof, to budget and fiscal control laws (now, only counties and cities are subject to these laws). Directs that each local government and public authority have budget officer, accountant, and treasurer, each performing defined duties with respect to budget preparation, adoption, and administration; permits these offices to be conferred on the same individual if necessary; specifically prohibits conferring duties of budget officer on sheriffs or (in counties with less than 7,500 population) on registers of deeds; specifically prohibits conferring duties of treasurer or accountant on tax collectors, unless Sec'y of Local Government Comm'n approves the unit's internal control procedures.

Moves the budget process back 30 days, so that budgets must be adopted by July 1 (now, July 28 for cities; first regular meeting in August for counties). Adds new provision permitting submission of unbalanced budget to governing board, with requirement that budget finally adopted must be balanced. Requires public hearing on budget. Eliminates requirement of separate funds for special purpose taxes levied without vote of the people (anticipating effective date of Constitutional amendments approved Nov. 1970). Makes no changes in laws concerning adoption and administration of school and community college budgets.

Makes the following changes in laws restricting budget powers: (1) eliminates 5% limitation on contingency appropriations in public assistance funds; (2) adds requirement that appropriations for purposes which require voter approval for tax levies may not exceed available nontax revenues; (3) adds requirement that estimated percentage of property tax collections may not exceed percentage actually collected in preceding fiscal year, and may not be less than five percentage points below that figure; (4) requires that budget include estimate of revenues to be realized from collection of prior years' taxes; (5) adds provisions guaranteeing that taxes and other revenues levied or allocated for school purposes and public assistance may not be spent for other purposes; (6) adds provision that utility revenues may not be spent for other purposes until all costs attributable to utility system have been met. Specifically permits budgeting general overhead expenses among various funds.

Eliminates present restrictions on authority to amend budgets, and permits amendments to be made in any manner that could have been done at time budget was adopted, except that amendments may not increase tax levies. Provides that procedures for budget adoption set out in article are exclusive, and charter or local act provisions concerning ordinance adoption do not apply to budget ordinances.

Adopts the present county capital reserve fund act for all units of local government, specifically repealing school capital reserve fund act, municipal capital reserve fund act, and public health and mental health center reserve fund acts.

Divides duties now conferred on accountant between accountant and treasurer, with provision for board to revise allocation within limitations; expands authority of Local Government Commission to promulgate rules and regulations as to features of accounting systems to be required. Revises pre-audit certificates to permit units to make contracts to be partially performed in future fiscal years, and to execute contracts funded by State or federal grants that have been approved but not yet paid to the grantee. Eliminates requirement that bank be designated official depository before funds may be deposited therein at interest, but retains requirement of designation before demand deposits may be made. Makes annual independent audit mandatory, and expands authority of Local Government Comm'n to approve audit contracts and define scope of audits. (Now, annual independent audit required only when tax collector and accountant are the same person.)

Local Government Bond Act. Enacts a uniform general obligation bond act to be used by all units having power to issue general obligation bonds, specifically repealing special provisions for sanitary districts, metropolitan sewerage districts, mosquito control districts, etc. Specifically repeals all existing local acts concerning issuance of general obligation bonds, anticipating constitutional amendment approved Nov. 1970, which makes local bond acts unconstitutional. Adds provisions authorizing units issuing bonds for utility purposes to pledge utility revenues as additional security for bonds, thus introducing the "double-barrelled bond" concept to NC law (now, "double-barrelled bonds" authorized for metropolitan sewerage districts but not for other units).

Adopts present municipal statute in defining purposes for which bonds may be issued--any purpose for which the unit may raise or appropriate money except current expenses (thus replacing lists of specific purposes for counties and other units). Implements constitutional permission to borrow without a vote to supply a casual deficit; adds authority for counties to borrow to meet costs of octennial revaluation; implements new constitutional authority to borrow without a vote to meet emergencies immediately threatening the public health or safety; adds authority to borrow to refund revenue bonds. Authorizes issuance of two-thirds bonds for any purposes (now, limited to necessary expenses), anticipating constitutional amendment approved Nov. 1970. Generally revises statutory procedure for issuance of bonds by reducing time periods and simplifying procedures; writes into the law the current practice concerning preliminary conferences with Local Government Comm'n before bond issuance procedures are begun; eliminates procedure for issuance of bonds not approved by Comm'n.

Fixes debt limit for all units at 8% of appraised value (now, 8% of assessed value for cities; 5% of assessed value for general county purposes; 5% or 8% of assessed value for county school purposes; no limit for other units). Revises statute on deductibility of sewer debt to make such debt deductible upon Comm'n's determination that the sewer system meets statutory criteria for bond deductibility. Adds as a new criteria for Comm'n consideration in approving a bond issue whether the bonds can be marketed "at reasonable interest rates."

Adds authority for General Assembly to extend the time for issuance of bonds under bond orders beyond statutory five-year limit, and provides that no further voter approval required in that case. Eliminates statutory list of maximum maturity periods for specific purposes, and authorizes Comm'n to fix these by regulation. Provides that no installment of a bond issue may be more than four times as great as the smallest installment of the same issue (now, two and one-half times).

Revenue Bond Act. Generally follows provisions of last edition of Model Municipal Revenue Bond Act, making clarifying changes and minor revisions. Repeals all existing local government revenue bond statutes.

Issuance and Sale of Bonds. Eliminates requirement that notice of sale be published in local newspaper, but requires at least one publication either in local newspaper or in recognized financial journal. Eliminates statutory direction as to form of bid deposit, and makes this subject to Comm'n regulation. Permits bids to be entered for less than all of the bonds offered when a State or federal agency has previously agreed to purchase the entire issue at a stated interest rate unless more favorable bids are received from private bidders. Eliminates requirement that sales be conducted in Raleigh. Adds authority for authentication of bonds by trustee or fiscal agent. Permits issuance of temporary bonds or interim receipts for all types of issues (now permitted only for revenue bonds). Eliminates statutory ceiling on fiscal agency fees and makes these subject to Comm'n regulation. Adds authority to replace or authenticate stolen or mutilated securities (now, limited to lost or destroyed securities).

Financing Agreements. Adds a new article requiring Comm'n approval of contracts which (1) extend for five years or more, (2) obligate the unit to pay money to another, (3) involve \$500,000 or 1/10% of the appraised value of the unit, whichever is less, and (4) obligate the unit directly or indirectly to exercise its taxing power to perform the contract. These contracts are to be treated as if they were bond issues insofar as Commission approval is concerned, and they are to count against the debt limit. Article does not apply to contracts between unit and State or federal agency nor to contracts for purchase of voting machines or motor vehicles.

Bond Anticipation and Tax and Revenue Anticipation Notes. Makes no substantive change in law governing bond anticipation notes. Adds authority to issue notes in anticipation of nontax revenues, limited to 80% of expected revenues. Makes no change in law governing tax anticipation notes, except eliminates authority to issue notes in anticipation of following year's taxes.

Assistance for Defaulting Units of Refinancing Debt. Makes little change in these statutes, but strengthens Comm'n powers to control fiscal affairs of defaulting units.

Enforcement of Chapter. Eliminates most of the present statutes making it a misdemeanor to violate budget laws, and replaces them with criminal penalties for serious violations and provisions for removal from office of officers or employees habitually neglecting to perform statutory duties.

County Treasurer Abolished. Abolishes the elective office of county treasurer. Effective date July 1, 1973.

H 616 Drug abuse prevention education
Introducers: Barker and Beatty

APPROPRIATION, GS 115
Sent to APPROPN

"To appropriate funds to the State Department of Public Instruction to provide for drug abuse prevention and education programs." Appropriates from General Fund \$170,100 in fiscal year 1971-2 and \$77,000 in fiscal year 1972-3 for six programs: (1) "education guides," including pharmacological, medical and legal facts and curriculum guidelines, (2) counselor training, (3) TV in-service programs, (4) local school district health coordinator model programs, (5) drug abuse materials and teaching aids, and (6) School of Pharmacy student-to-student drug abuse program. Sets out components of each of six programs. Effective July 1, 1971.

H 617 Carteret historical research funds
Introducer: Barker

APPROPRIATION
Sent to APPROPRN

"To appropriate funds for the continuation of historical preservation, restoration, and research in Carteret County." Appropriates to Dep't of Archives and History \$10,000 for historical and archaeological research in Carteret County and \$30,000 for continued repair and restoration of historic Beaufort Cemetery.

H 619 Stanly Technical Institute funds (Iden. S 390)
Introducer: R. Brown

APPROPRIATION, GS 115A
Sent to APPROPRN

"To authorize establishment and funding of a technical institute in Stanly County." Identical with S 390, digested in the Senate section of today's Bulletin.

H 620 NC Milk Commissioner (Iden. S 391)
Introducers: Kincaid and others

GS 106
Sent to AGRICULT

"Amending Article 28B of Chapter 106 of the General Statutes relating to the regulation of production and distribution of milk and cream." Amends GS 106, Art. 28B by abolishing existing NC Milk Commission and by granting to NC Milk Commissioner powers presently exercised by NC Milk Commission under Art. 28B. Creates office of Milk Commissioner, who is to be appointed by Governor for four-year term and paid salary (not to be diminished during term) as set by Governor and Council of State; prohibits Commissioner from being connected, through ownership or otherwise, with any enterprise dealing with the production or distribution of milk and from becoming so connected during his term of office; Commissioner may be removed only for cause. Requires Comm'r of Agriculture and Director of Ag. Experiment Station at NCSU to provide as far as practical, without additional compensation, technical and other services necessary to carry out provisions of Article. Deletes from present GS 106-266.8(7) provision that filing in office of Comm'r of certified copy of rule or order to chairman of board of corporation constitutes notice to all persons affected by rule or order. Deletes from present GS 106-266.8(10) provision empowering present NC Milk Commission to establish minimum prices in certain areas in event of impending marketing situation threatening disruption or demoralization of milk industry in those milk-marketing areas except in cases of resale of milk purchased for consumption on the premises and authorizing Comm'n to take into consideration the type of containers in which milk is marketed. Adds provisions to present GS 106-266.8 requiring (a) Comm'r to comply with GS Ch. 143, Art. 18 (rules and regulations filed with Secretary of State); (b) all hearings to be public and records of proceedings be kept; and, (c) Comm'r to make written findings of fact based on such records before issuing orders resulting from public hearings. Deletes present GS 106-266.9 (distributors to be licensed; prices and practices of distributors to be regulated). Rewrites present GS 106-266.17 (appeals) by permitting any persons or persons aggrieved by any order of Comm'r to appeal therefrom to any court of record in NC within 40 days after effective date of such action, rule, regulation or order (now, appeals available to persons aggrieved by (a) orders relating to licensing of distributors or producer-distributors or transferring of such licenses, or (b) any order applying only to persons and not otherwise specifically provided for, or (c) orders fixing, revising or amending prices at which milk may be bought or sold, or (d) any other order, action, rule or regulation of Commission to Superior Court only, within 40 days). Deletes GS 106-266.20 (limitations upon power of Commission to limit quantity of milk, or new producers or marketing areas), and GS 106-266.21 (prohibiting sale below cost to injure or destroy competition). Effective September 1, 1971.

H 624 Richmond Hill home funds
Introducers: Marion and others

APPROPRIATION
Sent to APPROPN

"To appropriate funds for the preservation of the home of Justice Richmond M. Pearson, known as 'Richmond Hill'." Appropriates for 1971-73 biennium out of General Fund to Dep't of Archives an amount not to exceed \$20,000 for restoration of "Richmond Hill," subject to non-state matching funds.

H 626 Abortions residency, MD requirement
Introducer: Rhyne

GS 14
Sent to HEALTH

"To revise the statute allowing abortions." Amends GS 14-45.1 by (1) changing residency requirement to 30 days (now, reads four months but invalidated by federal court) and (2) providing one doctor shall have examined woman and certified in writing circumstances justifying abortion (now, three doctors).

H 627 Discovery of debtor's assets
Introducer: Miller

GS 1
Sent to JUDIC 1

"To amend Article 31 of Chapter 1 relating to the discovery of assets of a judgment debtor." Adds new paragraph to GS 1-352 providing clerk or judge of court in county wherein original judgment is docketed, upon motion of judgment creditor showing good cause therefor, may: (1) order judgment debtor to produce and permit the inspection and copying, by or on behalf of the moving party, of any designated accounts, letters, objects, etc., not privileged, constituting assets, or being evidence of assets, of the judgment and which are in his possession and custody, or subject to his control; or (2) order judgment debtor to permit entry upon real or personal property in or subject to his control for purpose of inspecting, appraising, etc. the property of the judgment debtor; (3) order shall specify the time, place and manner for compliance therewith under such terms and conditions as are just. Provides person failing to comply with order issued pursuant to act may be punished as for contempt under the provisions of GS 1-368.

LOCAL BILLS INTRODUCED

SENATE

S 392 Deed index books
Introducer: Crawford

BUNCOMBE
Sent to LOC GOVT

"Relating to the official grantor and grantee deed indexes for Buncombe County." Certifies as official the grantor and grantee deed index books for Buncombe County for period March 1, 1924 through Dec. 31, 1966, prepared by Cott Company under supervision of Buncombe Register of Deeds.

HOUSE

H 607 Bd comm'rs election districts
Introducer: Patton

CHEROKEE
Sent to LOC GOVT

"To provide for the nomination and elections of the Board of County Commissioners of Cherokee County by districts." Requires that three-member Bd. of Comm'rs, elected to serve for term of four years beginning 1974, be nominated and elected from

three districts, described in bill, one candidate, who is resident of district, to be nominated and elected from each district, each party to nominate one candidate in each district, and to be voted on in general election only by qualified voters of district in which nominated. Bd. of Comm'rs to elect chairman from its members at first meeting after election.

H 608 County hospital treasurer HAYWOOD
Introducers: Messer and L. Ramsey Sent to LOC GOVT

"To provide a treasurer for Haywood County Hospital." Makes applicable to Haywood County those provisions of GS 131-28.9 and 131-28.13 relating to hospital treasurer (provisions generally for organization of hospital board; bond, compensation and duties of hospital treasurer; deposit and withdrawal of funds).

H 609 Burlington-Alamance Airport Authority ALAMANCE
Introducers: Harris and Long Sent to LOC GOVT

"Amending Chapter 814, Session Laws of 1969, relating to the establishment and powers of the Burlington-Alamance Airport Authority." Adds new subsection (1-b) to Sec. 4 of Ch. 814, SL 1969, giving Burlington-Alamance Airport Authority power to purchase property and to issue bonds or notes in payment therefor, and to secure those bonds or notes by purchase money mortgages, deeds of trust, or conditional sales contracts upon the property purchased. Makes the following changes in current (5): (1) Empowers Authority to issue bonds, notes, or other securities to provide funds for acquisition, construction, reconstruction, improvement, betterment, or extension of airport facilities, or for acquisition of property for facilities (now, only for construction, maintenance, purchase, improvement, and operation of facilities). (2) Authorizes Authority to issue revenue refunding bonds, notes or other securities for purpose of refunding any bonds, notes or securities then outstanding issued under act or under Revenue Bond Act of 1938, including any redemption premium or accrued interest; authorizes directors of Authority to have revenue refunding bonds, notes, or other securities issued for combined purpose of such refunding and of financing reconstruction, improvement, betterment, or extension of undertaking or facility (or for undertaking or facility combined or to be combined with that undertaking or facility) for which bonds, notes, or other securities to be refunded were issued; makes issuance of these bonds, notes or securities subject to applicable portions of act (new). (3) Makes prices, maturity dates, terms and conditions, and interest rates of obligations issued under subsection determinable by directors of Authority (now, powers with Authority, except for interest rate which act limits to 6%). (4) Grants directors authority to determine by resolution form and manner of execution of obligations and interest coupons, requiring at least one manual signature on every obligation (now, signature of chairman of Authority required, plus seal). (5) States that approval of Alamance Bd. of Comm'rs not required for sale (now, sale may be made with approval of comm'rs and Burlington City Council). (6) Authorizes directors to request sale by Local Gov't Comm'n in exchange for real property, requiring either judicial appraisal of property to be acquired or certified appraisals by Alamance Comm'rs and Burlington City Council; authorizes private sale without advertisement by Local Gov't Comm'n, with approval of directors (new provisions). (7) Removes restriction that pledge of revenues, rents, income, or tolls be only until time sums borrowed are fully amortized and repaid.

Adds new subsection (5-a) declaring Authority to be municipality for purposes of issuing revenue bonds for airport purposes under Revenue Bond Act of 1938 and authorizing additional power to issue revenue refunding bonds for same purposes as outlined under (2) above with similar restrictions. Declares Authority may proceed under either this Act (Ch. 814) or Revenue Bond Act without restrictions of the other. Amends Sec. 13 of Ch. 814 to provide for election of vice-chairman of bd. of directors of Authority.

H 611 Surveyors' registration
Introducers: Arnold and Love (by request)

HARNETT
Sent to LOC GOVT

"To amend Chapter 89 of the General Statutes relating to the registration and practice of land surveyors as it pertains to Harnett County." Requires NC Bd. of Registration for Professional Engineers and Land Surveyors to certify, without examination, any applicant who, prior to July 1, 1972, and upon payment of registration fee of \$10.00, presents evidence, under oath and satisfactory to Bd., of his good moral character and that he has practiced land surveying in NC for 10 years. Effective July 1, 1972.

H 612 Private use of public vehicles
Introducers: Vogler, Beatty, Campbell, Cobb,
Foley, Hicks and Lawing

MECKLENBURG
Sent to LOC GOVT

"Exempting vehicles used by the County of Mecklenburg for law enforcement purposes from the provisions of North Carolina General Statutes 14-247." As title indicates (GS 14-247 forbids private use of publicly-owned vehicle).

H 613 Huntersville tax payment discount
Introducers: Campbell, Beatty, Cobb, Foley,
Hicks, Lawing and Vogler

MECKLENBURG
Sent to LOC GOVT

"To amend G.S. 105-345, fixing discounts for payment of taxes in the Town of Huntersville." Amends Ch. 378, SL 1955 and GS 105-345 to provide discount of 1% to any Huntersville taxpayer who pays his local taxes before Dec. 31 (currently, discount of 2% if paid before Oct. 1, 1 1/2% if paid during Oct., 1% if paid during Nov., 1/2% if paid during Dec.).

H 614 Costs of appeals
Introducers: F. Farmer and others

FORSYTH
Sent to COURTS

"To provide liability for costs in criminal cases on appeal." Provides when defendant successfully appeals criminal action to appellate division, if county from which appeal was taken is Forsyth, the State shall pay one-half the costs of appeal and all sums properly expended by defendant for transcript of the record and printing done under the rules of the court.

H 615 Garbage collection regulation
Introducers: J.M. Johnson and Gardner

JOHNSTON
Sent to LOC GOVT

"To make Article 22 of Chapter 153 of the General Statutes relating to garbage collection applicable to Johnston County." As title indicates, authorizing bd. of county commissioners to operate disposal facilities and to regulate collection and disposal of garbage by private persons, firms and corporations outside incorporated towns, including issuance of licenses and exclusive franchises in designated areas, regulation of fees; violation of regulations to be misdemeanor, \$50 or 30 days. Repeals Ch. 904, SL 1961 (making GS 153, Art. 22 inapplicable to Johnston).

H 618 Trent Woods taxing power
Introducers: Barker and Bright

CrAVEN
Sent to LOC GOVT

"Amending the Charter of the Town of Trent Woods in Craven County." Removes restriction in Ch. 718, SL 1959 that denied Trent Woods the power to levy or collect taxes. Effective July 1, 1971.

H 621	Licensing bail bondsmen	GASTON
	Introducers: Stewart, Bumgardner, Leatherman	Sent to LOC GOVT

"To make the provisions of Chapter 85A relating to the licensing of bail bondsmen and runners applicable to Gaston County." Amends GS 85A-34 by adding Gaston to list of counties to which chapter is applicable.

H 622	Statesville, Mooresville police	IREDELL
	Introducers: Huskins and A. Smith	Sent to LOC GOVT

"To grant the police of Statesville and Mooresville county-wide jurisdiction upon certain conditions." Grants Statesville and Mooresville police officers same jurisdiction and authority, throughout Iredell County, to arrest and execute criminal process as they possess within their respective municipalities, subject to two conditions: (1) officers of one municipality not to exercise such powers within other municipality unless mayor of other municipality requests assistance from said officers, and (2) exercise of jurisdiction and authority outside respective jurisdictions permitted only upon permission of respective chiefs of police. Grants police same authority, rights, privileges and immunities (including coverage under Workmen's Compensation Act) as they have within own jurisdiction when they exercise county-wide powers.

H 623	Warsaw police jurisdiction	DUPLIN
	Introducer: Baker	Sent to LOC GOVT

"To extend the jurisdiction of the police officers of the Town of Warsaw in Duplin County." Grants Warsaw police same power and authority within one mile of town limits that they now have inside limits, with exception that no arrest shall be made in additional territory for violation of local ordinances.

H 625	TB detection funds solicitation	GREENE
	Introducers: Lilley and Hardison	Sent to LOC GOVT

"Relating to the solicitation of funds in Greene County to help defray expenses in tuberculosis detection." Authorizes Greene Bd. of Comm'rs to solicit funds to be turned over to Greene Health Dep't to defray expenses in tuberculosis detection.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 51 Highway litter fine (original bill digested in Bulletin No. 9, p. 54, and amendments digested in Bulletin Nos. 35, 49 and 50, pp. 248, 356 and 360, respectively).
Amendment adopted in House Monday, April 5, 1971 changes maximum penalty from \$500.00 to \$200.00 or imprisonment for not more than 30 days, or both.

S 100 State capital police arrest power (original bill digested in Bulletin No. 16, p. 101; previous Senate amendments digested in Bulletin No. 26, p. 176, and in Bulletin No. 60, p. 445)
Amendment adopted in Senate 4/7/71 requires that Capital policemen have training equivalent to that of Raleigh city police.

S 379 (Halifax) Roanoke Rapids manager election (original bill digested in Bulletin No. 58, p. 424)
Amendment adopted in Senate 4/7/71 deletes authority of city council to impose duties of proper administration of affairs of city on City Clerk (originally, authority to employ personnel or impose such duties on City Clerk).

HOUSE BILLS

H 226 Filling public officer's vacancy (original bill digested in Bulletin No. 25, p. 165; committee substitute digested in Bulletin No. 38, p. 271)

Amendment adopted in Senate 4/7/71 rewrites proposed GS 128-7.1 to provide that if any person elected to public office dies or becomes disqualified for office before qualifying for office or for any reason refuses to qualify for office, the office shall be declared vacant and filled by the appropriate authority.

H 347 Abolishment of coroner (original bill digested in Bulletin No. 35, p. 247)

Amendment adopted in House 4/7/71 exempts named counties from bill, as follows: Alexander, Alleghany, Anson, Brunswick, Columbus, Cumberland, Greene, Johnston, Jones, Lenoir, McDowell, Montgomery, Moore, Pitt, Randolph, Sampson, Stokes, Union, Northampton, Hertford, Bertie, Granville, Person, Caswell, Gaston, Cleveland, Pender, Yadkin, Warren and Franklin.

H 493 (Carteret) Legalizing bingo (digested in Bulletin No. 51, p. 366)

Amendment adopted in House 4/7/71 adds words "religious, non-profit organizations" to list of kinds of organizations permitted to operate or sponsor the game of bingo in Carteret County.

SENATE AND HOUSE

CALENDAR ACTION

APR. 07, 1971

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 23 SAFE DRIVERS' LICENSE RENEWAL. S-PLACED ON CAL FOR APR 12.
 S. 39 PRESIDENTIAL PRIMARY ELECTION. (3/30) S-PLACED ON CAL FOR APR 8.
 S. 51 HIGHWAY LITTER FINE. (3/02, 3/22, 3/22, 3/23, 4/05) S-CONCURRED IN H AMENDS.
 S. 100 STATE CAPITAL POLICE ARREST POWER. (2/17, 4/06, 4/07) S-FLOOR AMEND FAILED; S-FLOOR AMEND ADOPTED; S-PASSED 3RD READING.
 #S. 199 LANDSCAPE ARCH GRANDFATHER. (3/24) RATIFIED CH. 162.
 S. 230 GASOLINE ADVERTISING. (3/30) S-PASSED 2ND & 3RD READING.
 S. 238 WORKMEN'S COMP. BENEFITS INCREASE. S-PASSED 2ND & 3RD READING.
 S. 255 CONTINUING BAIL BONDS. H-REPTD FAV AS AMENDED.
 S. 299 POWELL BILL FUNDS. (3/30) H-PASSED 2ND READING.
 S. 337 WORKMEN'S COMP.-EMPLOYEE DEATH-1. S-PASSED 2ND & 3RD READING.
 S. 345 (J. RES.) REQUESTING PARDON FOR CALLEY. S-PLACED ON CAL FOR APR 8.
 H. 4 CAMPAIGN CONTRIBUTIONS, EXPENSES. (4/01) H-POSTPONED TO APR 8.
 H. 93 SECURE LOADS ON TRUCKS. (3/09, 3/11) S-MIN REPORT ADOPTED; S-RE-REF COM ON HY SAFTY.
 H. 111 \$300 AUTO ACCIDENT REPORTS. (3/24) H-RE-REF COM ON JUDIC 2.
 H. 115 GREAT SEAL OF THE STATE. (3/19, 4/06) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
 H. 144 LIQUOR AT POLITICAL TALKS. S-PASSED 2ND & 3RD READING.
 H. 198 SUBDIVISION TRAFFIC RULES. (4/02) H-PASSED 3RD READING.
 H. 199 PAR BANKING. (4/06, 4/06) S-REC FROM HOUSE; S-REF TO COM ON BANKING.
 #H. 223 HEARING-AUTO LICENSE SUSPENSION. (4/02) RATIFIED CH. 163.
 H. 226 FILLING PUBLIC OFFICER'S VACANCY. (3/05, 3/05, 4/07) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
 #H. 279 \$15,000 DIST. CT. CIVIL CASES. H-REPTD UNFAV.
 H. 304 TUESDAY PRIMARIES. (3/19) S-PASSED 2ND & 3RD READING.
 H. 345 LIABILITY OF THIRD PARTY. (3/24) S-PASSED 2ND & 3RD READING.
 H. 347 ABOLISHMENT OF CORONER. (3/26, 4/07) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
 H. 353 PROTECTIVE LENSES. (4/06) H-PASSED 2ND & 3RD READING.
 H. 408 HEALTH BD. ALTERNATES. S-PASSED 2ND & 3RD READING.
 H. 427 NO GARNISHMENT, BLIND FUNDS. S-PASSED 2ND & 3RD READING.

- H. 428 BLIND RELIEF, STATE RESIDENCE. (4/05) S-REC FROM HOUSE; S-REF TO COM ON INTERGOV.
- H. 463 IMMUNIZATION OF CHILDREN. (4/02) S-RECALLED FROM HOUSE.
- H. 466 REGIONAL JAIL OPERATIONS. (4/05) S-REC FROM HOUSE; S-REF TO COM ON CORRECTN.
- H. 474 NASH COUNTY-HUNTING ON HIGHWAYS. S-PASSED 2ND & 3RD READING.
- H. 499 DANGEROUS WEAPONS AT SCHOOLS. (3/31, 4/06) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
- H. 521 NAT'L GUARD-STATE DUTY-MIN. PAY. H-REPTD FAV AS AMENDED.
- H. 533 FRANKLIN MAGISTRATES. H-REPTD FAV.
- #H. 582 ADD'L SEAT OF DIST. COURT. H-REPTD UNFAV.

LOCAL BILLS

- S. 282 (SAMPSON) ABC ELECTION, NEWTON GROVE. H-REPTD FAV.
- S. 297 (DAVIDSON) THOMASVILLE ABC ELECTION. S-FLOOR AMEND FAILED; S-PASSED 2ND & 3RD READING.
- S. 330 (ROBESON) LUMBERTON MAYOR & COUNCILMEN. H-REC FROM SENATE; H-PASSED 2ND & 3RD READING.
- S. 341 (TRANSYLVANIA) SHERIFF'S DEP'T OPERATIONS. H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.
- S. 349 (SURRY) ABC STORES-DOBSON. S-PASSED 2ND & 3RD READING.
- S. 351 (SURRY) ABC STORES-MOUNT AIRY. S-PASSED 2ND & 3RD READING.
- S. 352 (SURRY) ABC STORES-PILOT MOUNTAIN. S-PASSED 2ND & 3RD READING.
- S. 379 (HALIFAX) ROANOKE RAPIDS MANAGER ELECTION. (4/07) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.

- H. 180 (CARTERET) MORE MAGISTRATES. H-REPTD FAV.
- H. 246 (STANLY) STANLY FOX HUNTING. (3/25) S-PASSED 2ND & 3RD READING.
- H. 387 (SCOTLAND) WAGRAM BEER AND WINE. S-PASSED 2ND & 3RD READING.
- H. 399 (BEAUFORT) MIGRATORY FOWL. S-PASSED 2ND & 3RD READING.
- H. 401 (WASHINGTON) BOBCAT HUNTING LIMITS. (3/26) S-PASSED 2ND & 3RD READING.
- H. 426 (BEAUFORT) AUTO REMOVAL LIENS, WASHINGTON. S-PASSED 3RD READING.
- H. 441 (CLEVELAND) INCORPORATING POLKVILLE. (3/29) S-PASSED 3RD READING.
- #H. 443 (YADKIN) COUNTY COMM'R NOMINATIONS. RATIFIED CH. 164.
- H. 453 (PASQUOTANK) COUNTY TAX LISTING. S-PASSED 2ND & 3RD READING.
- H. 493 (CARTERET) LEGALIZING BINGO. (4/07) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.

Next Sessions of Senate and House: 12 noon, Thursday, April 8, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

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BULLETIN NO. 62

-463-

THURSDAY, APRIL 8, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 393 More mental health funds
Introducer: Larkins

APPROPRIATION
Sent to APPROPN

"To provide supplemental appropriations to the Department of Mental Health to supply the loss of revenue required by passage of House Bill 172, Senate Bill 117, or similar legislation having the same effect." Appropriates from General Funds to NC Dep't of Mental Health \$1,016,301 for each year in 1971-73 biennium for purpose of replacing revenue lost by reason of passage of H 172 and S 117 (identical bills relating to limiting parental liability for costs for long-term care of handicapped children in state facilities, digested in Bulletin No. 20, p. 130), or similar bills. Effective upon ratification of H 172 or S 117 or similar bills.

S 394 Environmental Policy Act (Iden H 649)
Introducer: Allen

GS 113, 143
Sent to CONS&DEV

"The North Carolina Environmental Policy Act of 1971." Declares State policy (a) that the people have a right to livable environment, clean air and water, freedom from environmental health hazards and excessive noise, preservation of natural beauty and of scenic, ecological, historical and esthetic qualities; and (b) of encouraging widest range of beneficial use of resources without environmental degradation. Requires Governor to prepare statewide comprehensive environmental plan by March 1, 1973 after specified consultation, hearings, etc. Directs that State laws and regulations be interpreted in accord with policies of Act; and that all State agencies evaluate the environmental impact of their programs and projects (authorizes cities and counties to require the same of developers and special purpose governments). Directs that State agencies include in all recommendations or reports on legislative proposals and other projects and programs affecting environmental quality a statement concerning environmental impact, mitigation measures, and alternative courses of action, after consulting with agencies expert in the subject (statements required under Federal law are sufficient). Provides for review and decision by Governor or his designee of cases where responsible State official concludes that a proposed program or project would unavoidably cause major adverse environmental change. Provides for all State agencies to review their regulations and laws for conformity to State environmental policy and to propose necessary changes to Governor by July 1, 1972. Effective July 1, 1971.

S 395 Senatorial districts
Introducer: Moore

GS 120
Sent to G ASSEMB

"To establish Senatorial districts and to apportion seats in the Senate among the districts." Rewrites GS 120-1 to establish 33 NC Senatorial districts, all as now set forth in present GS 120-1, the counties in each district and the number of Senators from each district remaining the same as under present law.



S 396 Medical expense deductions
Introducer: Bingham

GS 105
Sent to FINANCE

"To amend G.S. 105-147(11) to remove the maximum limitation on the income tax medical expense deduction." Amends GS 105-147(11) by deleting present limitation on medical expense that provides that total allowable deduction in any taxable year shall not exceed \$5,000. Effective upon ratification but applicable only to taxable years beginning on or after January 1, 1971.

S 398 Savings & loan assoc.-powers
Introducer: Currie

GS 54
Sent to BANKING

"To provide that state savings and loan associations have the same powers as federal savings and loan associations." Adds new GS 54-33.3 granting additional authority to NC savings and loan associations to exercise all powers which federal savings and loan associations now or hereafter are authorized to exercise under laws of US or regulations adopted pursuant thereto, to end that NC associations are not placed in "competitively disadvantageous position" with respect to federal associations.

S 399 Governmental employees-regulation
Introducers: Coggins and Flaherty

GS 95
Sent to MFG LABR

"Governing employer-employee relations in governmental service." Rewrites GS Ch. 95-97, granting public employees right to form or join employee organizations of their own choosing, or to refuse to form or join such organizations; prohibits discrimination against employees by employers or their officers or agents because of membership or refusal of membership in such organization. (Present GS 95-97, prohibiting membership, has been declared unconstitutional.) Prohibits threats or intimidation against employees by employers or their officers or agents for purpose of requiring employees to join or not join such organizations. Continues present GS 99-98 prohibiting contracts between governmental units and such organizations. Adds new GS 95-99 stating all questions concerning terms and conditions of public employment shall be decided by duly constituted governing authorities but that such authorities should welcome employee suggestions and complaints on such matters. Provides that nothing in Art. 12 shall be construed as prohibiting governing authority from establishing procedures for processing employee suggestions or grievances concerning terms and conditions of employment or interpretation and application of such terms and conditions. Provides that employee or representative group of employees may be accompanied by person or organization of own choice for purposes of advice and representation in presenting suggestions, complaints and grievances. Continues present GS 95-99 (renumbered) making violation misdemeanor punishable in discretion of court and present GS 95-100 (renumbered) providing that provisions of GS 95, Art.10 (declaring state policy as to labor organizations) shall apply to units of government or their employees.

S 400 Mining Act of 1971 (Iden. H 650)
Introducers: Folger and others

GS 74,113
Sent to JUDIC 2

"The Mining Act of 1971." Provides comprehensive regulatory scheme for mining, administered thru Dep't of Conservation and Development ("Dept.") and State Mining Council ("Council"). After July 1, 1972, no mining will be allowed without permit from Dep't; application to be made on forms supplied by Dep't accompanied by proposed plan for reclamation. Sets forth grounds on which permit may be denied (essentially anticipated hazards or detrimental impacts on environment) and provides for conditioning of permit, which shall be for not exceeding 10 years, subject to modification and/or renewal under specified procedures. On approval of permit, operator must post security (bond, cash, securities, mortgage, savings account assignment) guaranteeing

reclamation in accord with approved plan. Specifies minimum contents of plan; requires operator to file annual report of activities under permit. Dep't may inspect operations and where deficiencies are noted may order correction; when portion of area reclaimed satisfactorily, Dep't is to release proportionate part of security. Dep't may suspend or, in willful violations, revoke permit after hearing, for violation of Act, Council's rules or regulations, or conditions of permit; may also request Att'y General to instigate bond-forfeiture proceedings and itself bring criminal or civil actions against violator. Makes willful violation of Act and willful misrepresentations under Act misdemeanors, punishable by \$100-\$1000 fine, each day after notification being separate offense. Provides appeals from Dep't to Council to Superior Court. Does not supersede local zoning or other regulations or state agency regulations, except those in direct conflict; nor does Act impair private rights to bring suits against nuisances or hazards. Exempts actions of State Highway Commission and contractors on highway rights-of-way and borrow pits, where SHC reclamation requirements are approved by Council, and also mining under permit on federal lands. Definition of "mining" also generally excludes activities affecting no more than one acre of land surface. Appropriates to Dep't \$31,629 for 1971-72 and \$30,443 for 1972-73, for administration of Act.

S 402 (Joint Resolution) World law and order (Iden.H 653) MISC RES

Introducer: McLendon

Sent to JUDIC 2

"A Joint Resolution on the lesson of Vietnam and My Lai: the need for world law and order." Recites substance of prior resolutions of NC General Assembly in 1941, 1949, and 1953 expressing certain convictions about world law and order. Declares ability of world law to clarify national confusion, heal national divisions and unite national leaders for common purpose. Questions efficacy of national hand-wringing about My Lai and Calley trial. Proclaims as false the view that it is unpatriotic to USA for its citizens to think of themselves also as citizens of world. Recognizes need for all-inclusive world organization as prerequisite to world disarmament. Requests members of NC Congressional delegation to take appropriate action in Congress seeking revision of UN Charter, which is recognized as ineffective to make and enforce decisions relieving nations of burdens of providing for national security, so as to establish world rule of law and liberty in community of nations. Calls upon President to lead in bringing about such goal. Directs copy of resolution be sent to President and each member of NC Congressional delegation.

HOUSE

H 630 Mass gatherings-regulations

Introducers: Collins and others

GS 130

Sent to JUDIC 2

"For the protection of the public health, welfare, and safety in connection with rock festivals and other similar mass gatherings." Adds new Art. 28 to GS Ch. 130 declaring purpose is to protect persons attending rock festivals and persons living nearby and establishing a permit system administered by State Bd. of Health. Defines "rock festival" as open air assembly of more than 5,000 people for at least 24 continuous hours and featuring rock'n'roll music and/or related performances; includes similar mass gatherings except when in permanent buildings or structures. Prohibits holding or promoting rock festival without permit from State Health Director (SHD); application for permit to be made 15 days prior to promotion with \$100 fee and contain details of proposed festival. SHD to inspect site within 10 days and if approved, issue provisional permit; permittee to file performance bond of \$25,000 for first 10,000 persons and \$5,000 for each additional 5,000 people, plus evidence of liability insurance satisfactory to SHD but not over \$1 million. Provisional permit to be revoked if facilities and service arrangements not firm 15 days prior event, cancellation effectively to be announced by permittee and site cleared of people within 12 hours; permittee may be ordered by SHD to

make arrangements for persons who may attend despite cancellation and to clean up site; if SHD order not complied with, SHD may use available State and local funds and resources to make arrangements and clean up site. Provides for court order of forfeiture of performance bond. Specifies services and facilities required for permit: general- sufficient activity area, command post for gov't officials, all areas farther than 1500' from residences except with consent and one mile from Class I and II reservoirs and 3 miles from watersheds draining into public water supply; traffic- parking facilities @ 100 cars/acre and 30 buses/acre and one parking space for each 4 persons in attendance, no parking on shoulders, open ingress and egress roads, statement of State Highway Comm'n approving adequacy of exits to public highways; law and order- plan for security and limiting attendance approved by local sheriff or police, evacuation plans; health and sanitation- medical care plan approved by local health director, including 450 sq.ft. treatment center, signed agreements for cooperation by local hospital, ambulance service, physicians and nurses (1 physician and 1 nurse/5000 persons); camping area; approved water supply, including chlorination, rate of 3 gals./day/person for drinking and 12 gals./day/person for bathing; toilet facilities @ 100 persons/seat and statement from NC Dep't of Water and Air Resources approving adequacy of sewage treatment and disposal facilities; solid waste containers; approved food dispensing system; elimination of fly and mosquito breeding places; statement that noise will be controlled to not more than 70 decibels at perimeter of site; illumination plans, not reflecting outside site; signs for accommodations; clean-up- site to be cleaned up within 48 hours after festival end, including litter within 1 mile of site. Penalty is general misdemeanor.

H 632 County auto tags, taxes
Introducer: McKnight

GS 20
Sent to FINANCE

"Requiring all motor vehicles to display a county registration plate, tab, sticker, or other identifying device and to require payment of ad valorem taxes due on motor vehicles as a condition precedent to acquiring the county registration plate, tab, sticker, or other identifying device." Adds new Part 7A to Motor Vehicle Act of 1937 requiring each motor vehicle now required to have State registration plate to also display county registration identification (exempting vehicles owned by State or municipalities and vehicles assessed for taxation by State Bd. of Assessment), cost of which is set at 50¢ per vehicle. Directs county tax collector to collect fee to be retained by county, and issue identification between Aug. 1 and Sept. 30, but not to issue identification until all ad valorem taxes assessed against vehicle by any county, city, town, or special district have been paid. Makes registration valid from Oct. 1 to next Sept. 30 and requires display of identification during that period, the failure to do so being a misdemeanor (\$50 or 30 days or both). Requires counties to make registration identifications available on Aug. 1, with exception for 1971-72 for which identifications need not be available until Sept. 1. Makes conforming changes in GS 20-97 and removes that section's provision allowing cities and towns to levy \$1 on resident vehicles.

H 636 Child adoption-minor stepparent
Introducer: Cobb

GS 48
Sent to JUDIC 2

"To provide for adoption of a minor child by a step-parent under 21 years of age." Adds new GS 48-4(e) allowing step-parent, even though a minor, to adopt a child and providing that step-parent is competent to execute petition for adoption without appointment of general or testamentary guardian or guardian ad litem.

H 648 Darden Hotel funds
Introducer: Everett

APPROPRIATION
Sent to APPROPRN

"To appropriate funds for the restoration of the Darden Hotel Building."
Appropriates \$40,000 to Dep't of Archives and History for 1971-73 biennium for restoration of Darden Hotel Building in Hamilton, NC. Effective July 1, 1971.

H 649 Environmental Policy Act (Iden. S 394)
Introducer: Bryan

GS 113, 143
Sent to WATER

"The North Carolina Environmental Policy Act of 1971." Identical with
S 394, digested in Senate section of today's Bulletin.

H 650 Mining Act of 1971 (Iden. S 400)
Introducers: Bryan and others

GS 74, 113
Sent to CONS&DEV

"The Mining Act of 1971." Identical with S 400, digested in Senate section of today's Bulletin.

H 651 Mining Act funds
Introducers: Bryan and L. Ramsey

APPROPRIATION, GS 74, 113
Sent to APPROPRN

"To appropriate funds to the Department of Conservation and Development to implement the Mining Act of 1971." Appropriates from General Fund to Dep't of C&D \$31,629 for fiscal year 1971-72 and \$30,443 for fiscal year 1972-73, to implement Mining Act of 1971. Effective July 1, 1971.

H 652 Newbold-White House funds
Introducer: Culpepper

APPROPRIATION
Sent to APPROPRN

"To appropriate funds to assist in the restoration of the Newbold-White House in Perquimans County." As title indicates, appropriates to State Dep't of Archives and History \$40,000 for biennium 1971-73, subject to controls of Historic Sites Advisory Committee and conditioned upon the raising of an equal amount by the Perquimans County Restoration Assoc. Effective July 1, 1971.

H 653 (Joint Resolution) World law and order (Iden. S 402)
Introducer: M. Smith

MISC RES
Sent to JUDIC 1

"A Joint Resolution on the lesson of Vietnam and My Lai: the need for world law and order." Identical with S 402, digested in Senate section of today's Bulletin.

LOCAL BILLS INTRODUCED

SENATE

S 397 Tax lien sales
Introducer: Bingham

DAVIE, GS105
Sent to LOC GOVT

"To exempt Davie County and the municipalities therein from the provisions of G.S. 105-387, relating to sales of tax liens on real property for failure to pay taxes, upon the adoption of a resolution by the governing bodies of Davie County and the municipalities therein." As title indicates. Provides that adoption of resolution exempting county or municipalities from effect of GS 105-387 shall not affect validity of taxes or tax liens provided for by law, and that governing bodies may provide for sales and advertisement of tax liens, in their discretion. Action by any resolving governing body not dependent on adoption of like resolution or similar action by any other governing body in county.

S 401 Roanoke Rapids school tax
Introducer: Allsbrook

HALIFAX
Sent to FINANCE

"To authorize an increase in the tax supplementing the current expense budget of the Roanoke Rapids Graded School District subject to an election to be held in said school district." Authorizes election pursuant to GS Ch. 115, Subch. V, Art.14 on question of tax supplementing current expense fund of school district, tax up to 65¢ per \$100 valuation of real and personal property notwithstanding the provisions of GS 115-117 (limiting amount of tax supplementing current expense school fund to 50¢ per \$100 (60¢ in district with more than 100,000 population) and requiring elections on question be at least 6 months apart).

HOUSE

H 628 Restricting hunting area
Introducer: Barker

CRAVEN
Sent to WILDLIFE

"To close a portion of Trent River and Brices Creek in Craven County to hunting." As title indicates; describes areas to be closed. Effective June 1, 1971.

H 629 Creating community college
Introducers: Barker and Bright

CRAVEN, GS 115A
Sent to EDUCATN

"Designating the Industrial Education Center Unit in Craven County as a community college." As title indicates; changes name of Unit to Craven County Community College, to be operated as community college under GS Ch. 115A (community colleges). Effective July 1, 1971.

H 631 Drainage district abolished
Introducers: Hardison and Lilley

JONES, LENOIR
Sent to JUDIC 1

"To dissolve the Jones-Lenoir Drainage District No. 1." As title indicates. Directs Bd. of Drainage Comm'rs of said Dist. No. 1 to distribute funds in treasury to members in proportionate shares; thereupon, District is dissolved and members of Bd. discharged from official duties.

H 633 Winston-Salem parking penalties
Introducer: McKnight (by request)

FORSYTH
Sent to LOC GOVT

"Relating to the penalty for parking violations in the City of Winston-Salem." Amends GS 20-162.1 to authorize Winston-Salem Bd. of Aldermen to increase penalty for parking meter violation to up to \$3 (now, \$1).

H 634 Office of treasurer abolished
Introducer: J. M. Johnson

JOHNSTON
Sent to LOC GOVT

"To authorize the Johnston County Board of County Commissioners to abolish the office of county treasurer." Authorizes abolition of office of county treasurer and transfer of duties to officer designated by bd. of comm'rs. Effective June 30, 1972.

H 635 Mixed drinks-election
Introducer: Auman

MOORE
Sent to ABC

"Authorizing elections in Moore County to determine whether mixed beverages may be sold by the drink under rules and regulations promulgated by the County Board of Alcoholic Control." In order to establish a system to control consumption of

alcoholic beverages in places other than private residences by licensing certain persons to sell such beverages for consumption in manner insuring proper control and administration of consumption and sales under uniform system in townships of Mineral Springs, McNeill, Sandhill and Little River, empowers County ABC authority to promulgate comprehensive plan for administration, sale and enforcement of mixed beverages law, to adopt rules and regulations to carry out plan and to be licensing authority. Plan to be adopted and made public prior to Sept. 15, 1971; adoption of plan dependent on prior approval of chairman of State ABC board. Provides that, on petition of at least 15% of voters in any said township who voted in last gubernatorial election, county bd. of elections to hold special election in township on adoption of plan. Subsequent elections may be held but no election to be held within 3 years of last election. Authorizes county ABC unit to adopt additional or supplemental rules, upon approval of chairman of State ABC Board, to carry out intent of bill, but otherwise plan not to be changed. Specifies to whom, and under what conditions, licenses to sell mixed beverages may be granted. Sets forth times when such beverages may be sold. Requires licensees to keep certain records and make them available to county ABC unit. Prohibits certain action by licensees. Requires alcoholic beverages to be used in mixed drinks to be purchased from certain county ABC stores; allows transportation by buyer, sets forth sizes of containers in which such beverages may be bought. Requires payment of tax of \$5.00 per gallon (sale not subject to other taxes levied under GS Ch. 18) and annual license fees based on number of seats in licensed premises. Identifies which establishments not eligible for mixed-beverage license, and subjects licensed establishments to inspection by ABC law enforcement officers for violations. Makes violation misdemeanor punishable by fine or imprisonment in discretion of court; upon conviction, license to be revoked.

H 637 Guilford College ABC regulation
Introducers: Short, Hunt and Payne

GUILFORD
Sent to ABC

"To repeal Chapter 369 as amended by Chapter 406 of the Public Laws of 1933, being an act regulating the sale of alcoholic beverages near Guilford College." As title indicates, repeals 1933 law which prohibits sale within 1 1/4 miles of Guilford College administration building of any beer, wine or other beverage containing more than 1/2 of 1% of alcohol by weight.

H 638 Tax listing regulations
Introducer: Harrelson

BRUNSWICK
Sent to LOC GOVT

"To amend Sections 105-306(26); 105-308; 105-309 and 105-310 of the General Statutes of North Carolina in order to authorize the Board of Commissioners of Brunswick County to prescribe regulations relating to the listing of property for taxation in Brunswick County and to authorize the division or combining of townships for tax listing purposes." As title indicates; authorizes Brunswick Bd. of County Comm'rs to set form and manner of taking of oath as to taxation listing; GS 105-306(26), 105-307, 105-308, 105-309 and 105-310 to apply in County except insofar as inconsistent with regulations established by Brunswick Bd. of Comm'rs.

H 639 Leland incorporation
Introducer: Harrelson

BRUNSWICK
Sent to LOC GOVT

"To authorize an election on the question of incorporating the Town of Leland in Brunswick County." Directs Brunswick Bd. of Elections to call special election on Tuesday, July 6, 1971, on whether Leland shall be incorporated, those residing in area to be incorporated being eligible to vote, with new registration being required and open from June 19 to June 26. Sets Aug. 3, 1971 (with July 7 through July 16 being filing period) as date for election of mayor and five commissioners if incorporation approved, no new registration being required but books being open from July 17 to 24. Sets out charter for town to be effective Aug. 3, 1971 if incorporation approved, the charter setting out the boundaries in detail and establishing a gov't of mayor (non-voting except in tie) and 5 commissioners, each to be a resident and to serve 4-year term. Grants comm'rs usual ordinance-making power and power to issue bonds and to tax, plus authority to appoint Town attorney, clerk, tax collector, accountant, and other employees. Sets out procedure for making tort claim against town.

H 640 Street improvements-Shelby
Introducers: Falls and Mauney (by request)

CLEVELAND
Sent to LOC GOVT

"To amend the Charter of the City of Shelby, Chapter 194 of the Private Laws of 1901, as amended, to authorize the improvements of streets and sidewalks and to assess the cost thereof without petition." Authorizes Shelby street improvements as title indicates; details procedure for public hearings on question of improvements and for complaint by dissatisfied person, and provides Bd. of Aldermen in ordering improvements and assessing costs thereof shall be subject to GS Ch. 160, Art. 9 except for those provisions relating to the petition of the property owners and the sufficiency thereof.

H 641 Mint Hill ABC profits
Introducers: Vogler, Beatty, Campbell, Cobb, Foley,
Hicks and Lawing

MECKLENBURG
Sent to ABC

"Amending Chapter 835 House Bill 497, of the 1947 Session of the General Assembly of North Carolina, providing for the participation by the Town of Mint Hill in the division of profits from liquor stores among the municipalities of Mecklenburg County and Mecklenburg County." As title indicates.

H 642 County Home-sale
Introducer: R. Brown

STANLY
Sent to LOC GOVT

"To authorize the sale of County Home property of Stanly County and to authorize the use of sale proceeds for airport and other purposes." Authorizes public or private sale of County Home property described in bill, and authorizes Bd. of Comm'rs to use proceeds as they deem wise (airport, county rest home and county nursing home given as permissible options).

H 643 Five gallon liquor-Madison
Introducer: Webster

ROCKINGHAM
Sent to ABC

"To authorize the purchase, possession and transportation of liquor in excess of one gallon in the Town of Madison." Adds Madison to list of counties and municipalities permitting transportation of up to five gallons of alcoholic beverages under permit-issuing procedure set out in GS 18-49.6 through -49.10.

H 644 RDU Airport bonds

Introducers: S. Johnson, Twiggs, R. Farmer,
Wynne, Royall, Miller and Whichard

WAKE, DURHAM
Sent to LOC GOVT

"To amend Chapter 168 of the Public-Local Laws of 1939, as amended, relating to the Raleigh-Durham Airport and authorizing the issuance of revenue bonds by the Raleigh-Durham Airport Authority." Adds new section 7(L) to amended Ch. 168 of Public-Local Laws of 1939, empowering Authority to issue bonds, notes or other securities and obligations for purpose of providing funds for certain airport improvements, for purchase of certain personal property, and for refunding outstanding bonds, with interest and premiums, other obligations and anticipatory notes. Provides bonds be issued in form and with maturity date (not exceed 35 years) as determined by Authority, subject to requirements of bill as to name and form of bonds. Bonds to be sold under supervision, and with approval, of Local Government Commission. Bonds and interest thereon to be exempt from federal, state and local taxes, and not to be obligations of Wake or Durham counties or cities of Raleigh or Durham. Authority permitted and empowered to pledge revenues, rents, income and tolls arising from use of Authority's property until full amortization and repayment of borrowed money. Authority to have powers conferred upon municipalities under Revenue Bond Act of 1938, and bonds issued under this bill to be issued and secured in same manner as bonds issued under 1938 Act.

H 645 Rural police dep't

Introducers: Rhyne, Bumgardner, Stewart and
Leatherman

GASTON
Sent to LOC GOVT

"Amending Chapter 16 of the 1957 Session Laws as relates to the Gaston County Rural Police Department." Rewrites first sentence of Sec. 10, Ch. 16, SL 1957, to provide that Gaston County Rural Police Dep't to consist of chief and such officers and members as Bd. of Comm'rs deems sufficient (currently, chief, captain or asst. chief, desk sergeant, and patrolmen as deemed sufficient), also giving Board power to impose ambulance service duties on police.

H 646 Topsail Beach, Surf City police

Introducers: James, Mohn and Venters

PENDER
Sent to LOC GOVT

"To provide that the police of the municipalities of Topsail Beach and Surf City in Pender County have joint jurisdiction." Authorizes governing boards of Topsail Beach and Surf City to provide by ordinance for exercise by respective police departments of jurisdiction in both municipalities.

H 647 More magistrates

Introducer: Everett

MARTIN
Sent to COURTS

"To amend G.S. 7A-133 relating to the number of magistrates in Martin County." Amends section as title indicates to raise from 4 to 5 the maximum number of magistrates for Martin County.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 39 Presidential primary election (Iden. H 65) (digested in Bulletin No. 8, p. 48; Committee Substitute digested in Bulletin No. 55, p. 394)

Two amendments adopted in Senate 4/8/71, one technical and the other changing the filing fee for candidates nominated by the State Bd. of Elections from \$500 to 1% of the President's annual salary, and changing the fee for petitioning candidates from 5¢ per signature to 10¢ per signature.

HOUSE BILLS

H 4 Campaign contributions, expenses (digested in Bulletin No. 1, p. 2; Committee Substitute adopted in House 4/1/71 digested in Bulletin No. 57, p. 415)
Amendments adopted in House 4/8/71 make technical change and extend pre-primary reporting requirements to candidates for State Legislature.

H 382 To provide storage lien (digested in Bulletin No. 39, p. 277)
Amendments adopted in House 4/8/71 make technical change and change effective date from July 1, 1971 to ratification.

H 463 Immunization of children (digested in Bulletin No. 46, p. 330)
Motion passed in Senate 4/8/71 which withdraws amendment adopted in Senate 4/2/71 and digested in Bulletin No. 58, p. 425 (amendment provided for free immunizations whether or not able to pay).

H 482 Requiring emission control device (digested in Bulletin No. 48, p. 348)
Committee Substitute adopted in House 4/8/71 prohibits motor vehicles (registered in NC) manufactured after model year 1967 from being sold or operated in NC unless equipped with all of the emission control devices to reduce air pollution that were installed at time of manufacture (originally, model year 1968, equipped with devices required by federal law applicable to model year of manufacture). Prohibits inspection certificate from being issued to vehicle manufactured after model year 1967 unless vehicle equipped with all emission control devices to reduce air pollution that were installed at time of manufacture which are readily visible (originally, model year 1968, equipped with devices required by federal law applicable to model year of manufacture).

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 39 PRESIDENTIAL PRIMARY ELECTION.(3/30, 4/08) S-FLOOR AMEND FAILED; S-FLOOR AMENDS ADOPTED; S-PASSED 3RD READING.
 #S. 51 HIGHWAY LITTER FINE.(3/02, 3/22, 3/22, 3/23, 4/05) RATIFIED CH. 165.
 S. 100 STATE CAPITAL POLICE ARREST POWER.(2/17, 4/06, 4/07) H-REC FROM SENATE; H-REF TO COM ON JUDIC 1.
 S. 143 OBSTRUCTING HIGHWAYS.(3/02) H-REPTD FAV AS AMENDED.
 S. 230 GASOLINE ADVERTISING.(3/30) H-REC FROM SENATE; H-REF TO COM ON JUDIC 1.
 S. 238 WORKMEN'S COMP. BENEFITS INCREASE. H-REC FROM SENATE; H-REF TO COM ON MFR LABR.
 S. 247 POWER OF ATTORNEY, VALIDITY.(3/17) H-REPTD FAV AS AMENDED.
 S. 255 CONTINUING BAIL BONDS. H-POSTPONED TO APR 12.
 S. 299 POWELL BILL FUNDS.(3/30) H-PASSED 3RD READING.
 S. 329 BROADENING DMV AIRCRAFT USE. H-REPTD FAV.
 S. 337 WORKMEN'S COMP.-EMPLOYEE DEATH-1. H-REC FROM SENATE; H-REF TO COM ON MFR LABR.
 S. 345 (J.RES.) REQUESTING PARDON FOR CALLEY. S-PLACED ON CAL FOR APR 12.
 H. 4 CAMPAIGN CONTRIBUTIONS, EXPENSES.(4/01, 4/08) H-FLOOR AMENDS ADOPTED; H-RE-REF COM ON ELECTION.
 H. 95 EMINENT DOMAIN JURY TRIALS. H-REPTD FAV.
 #H. 112 PAVING PUBLIC ACCESS ROADS. H-REPTD UNFAV.
 #H. 115 GREAT SEAL OF THE STATE.(3/19, 4/06) RATIFIED CH. 167.
 #H. 144 LIQUOR AT POLITICAL TALKS. RATIFIED CH. 168.
 #H. 162 SHOPLIFTING-MANDATORY JAILING. H-REPTD UNFAV.
 H. 198 SUBDIVISION TRAFFIC RULES.(4/02) S-REC FROM HOUSE; S-REF TO COM ON HY SAFTY.
 #H. 222 PROFESSIONAL DRIVERS' POINTS. H-REPTD UNFAV.
 H. 226 FILLING PUBLIC OFFICER'S VACANCY.(3/05, 3/05, 4/07) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
 H. 284 NON-DISCLOSURE, TAX INFORMATION. H-REPTD FAV AS AMENDED; H-PLACED ON CAL FOR APR 13.
 H. 303 SHOPLIFTING ARREST LIABILITY.(3/30, 3/31) S-REPTD FAV.
 #H. 304 TUESDAY PRIMARIES.(3/19) RATIFIED CH. 170.
 H. 326 SCHOOL ACCESS ROAD ACQUISITION. H-REPTD FAV.
 H. 327 PAVING PUBLIC SCHOOL DRIVEWAYS. H-REPTD FAV.
 H. 342 INCREASE LIMITS NO-BID CONTRACTS. H-REPTD FAV.

- #H. 345 LIABILITY OF THIRD PARTY.(3/24) RATIFIED CH. 171.
- H. 347 ABOLISHMENT OF CORONER.(3/26, 4/07) S-REC FROM HOUSE; S-REF TO COM ON PUB HLTH.
- H. 353 PROTECTIVE LENSES.(4/06) S-REC FROM HOUSE; S-REF TO COM ON PUB HLTH.
- H. 382 TO PROVIDE STORAGE LIEN.(4/08) H-FLOOR AMENDS ADOPTED; H-PASSED 2ND & 3RD READING.
- #H. 408 HEALTH BD. ALTERNATES. RATIFIED CH. 175.
- H. 410 VEHICLE REPAIR LIEN. H-COM AMEND FAILED; H-PASSED 2ND & 3RD READING.
- #H. 427 NO GARNISHMENT,BLIND FUNDS. RATIFIED CH. 177.
- H. 442 WORKING PRISONERS REPEALER. S-REPTD FAV.
- H. 449 SCHOOL BUS STOP CHANGES. H-REPTD FAV AS AMENDED.
- H. 463 IMMUNIZATION OF CHILDREN.(4/02) S-RECONSIDERED 3RD READING; S-AMENDMENT RECONSIDERED; S-AMENDMENT WITHDRAWN; S-PLACED ON CAL FOR APR 9.
- #H. 474 NASH COUNTY-HUNTING ON HIGHWAYS. RATIFIED CH. 180.
- H. 480 RENAL DISEASE PROGRAM AND FUNDS. H-REPTD FAV; .RE-REF COM ON APPEAL
- H. 482 REQUIRING EMISSION CONTROL DEVICE.(4/08) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 492 ROAD-SIDE REST AREAS-NO LOITERING. H-REPTD FAV.
- H. 501 (H.RES.) RATIFYING 19TH AMENDMENT. H-REPTD FAV.
- H. 533 FRANKLIN MAGISTRATES. H-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 176 (BRUNSWICK) OCEAN ISLE TAX LIMIT REPEAL. H-REPTD FAV.
- S. 260 (LENOIR) KINSTON REALTY SALES.(3/30) H-REPTD FAV.
- S. 282 (SAMPSON) ABC ELECTION,NEWTON GROVE. H-PASSED 2ND & 3RD READING.
- S. 297 (DAVIDSON) THOMASVILLE ABC ELECTION. H-REC FROM SENATE; H-REF TO COM ON ABC.
- S. 305 (GUILFORD) COUNTY OFFICERS-BONDS. H-REPTD FAV.
- S. 307 (GUILFORD) MORE BINGO PERMITTED. H-REPTD FAV.
- #S. 330 (ROBESON) LUMBERTON MAYOR & COUNCILMEN. RATIFIED CH. 166.
- S. 349 (SURRY) ABC STORES-DOBSON. H-REC FROM SENATE; H-REF TO COM ON ABC.
- S. 351 (SURRY) ABC STORES-MOUNT AIRY. H-REC FROM SENATE; H-REF TO COM ON ABC.
- S. 352 (SURRY) ABC STORES-PILOT MOUNTAIN. H-REC FROM SENATE; H-REF TO COM ON ABC.
- S. 379 (HALIFAX) ROANOKE RAPIDS MANAGER ELECTION.(4/07) H-REPTD FAV AS AMENDED.

- H. 180 (CARTERET) MORE MAGISTRATES. H-PASSED 2ND & 3RD READING.
- #H. 246 (STANLY) STANLY FOX HUNTING.(3/25) RATIFIED CH. 169.
- H. 354 (WASHINGTON) PISTOL PERMITS. S-REPTD FAV.
- #H. 387 (SCOTLAND) WAGRAM BEER AND WINE. RATIFIED CH. 172.
- #H. 399 (BEAUFORT) MIGRATORY FOWL. RATIFIED CH. 173.
- #H. 401 (WASHINGTON) BOBCAT HUNTING LIMITS.(3/26) RATIFIED CH. 174.
- #H. 426 (BEAUFORT) AUTO REMOVAL LIENS,WASHINGTON. RATIFIED CH. 176.

- H. 432 (ORANGE) COUNTY SCHOOL BOARD ELECTION. H-REPTD FAV AS AMENDED.
- #H. 441 (CLEVELAND) INCORPORATING POLKVILLE.(3/29) RATIFIED CH. 178.
- #H. 453 (PASQUOTANK) COUNTY TAX LISTING. RATIFIED CH. 179.
- H. 462 (ORANGE) CHAPEL HILL ASSESSMENTS. H-REPTD FAV AS AMENDED.
- H. 493 (CARTERET) LEGALIZING BINGO.(4/07) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 520 (NEW HANOVER) BOARD OF EDUCATION-PAY. H-REPTD FAV.
- H. 525 (HARNETT) COATS ABC PROFITS ALLOCATION. H-REPTD FAV.
- H. 536 (NEW HANOVER) CITY-COUNTY CONSOLIDATION VOTE. H-REPTD FAV AS AMENDED.
- H. 539 (NORTHAMPTON) GARYSBURG-OFFICIALS & ELECTIONS. H-REPTD FAV.
- H. 540 (BEAUFORT) WASHINGTON BICENTENNIAL FUNDS. H-REPTD FAV.
- H. 565 (CARTERET) TRAPPING LAW. H-REPTD FAV.
- H. 571 (NASH) NASHVILLE TOWN LIMITS. H-REPTD FAV.
- H. 585 (ALAMANCE) BAIL BONDSMEN. H-REPTD FAV.
- H. 586 (ALAMANCE) HUNTING ON ROADS,HIWAYS. H-REPTD FAV.
- H. 587 (STOKES) CORPORATE LIMITS-TOWN OF KING. H-REPTD FAV.
- H. 592 (WILSON) AUTHORITY TO ORDER AUTOPSIES. H-REPTD FAV AS AMENDED.

Next Sessions of Senate and House: 10:00 a.m., Friday, April 9, 1971.

SUMMARY OF GOVERNOR'S ENVIRONMENTAL MESSAGE
Delivered at a Joint Session of the General Assembly of
North Carolina at 12:30 p.m., April 8, 1971

Recognizing "the ground swell of public concern for the environment" and recalling that in his January 14 message he had suggested that NC should "anticipate and head-off the major environmental problems which are confronting many other states," the Governor proceeded to offer 24 recommendations for legislative consideration, including five major bills, presented as follows: Environmental Policy Act- requiring all undertakings financed by State funds be preceded by a detailed statement outlining the impact of such undertakings on the environment (in a similar fashion to impact statements required at the federal level). Water and Air Pollution Control- require periodic reporting of all pollutants discharged into the air or water to assist the State in monitoring; provide for regulation of waste from animal and poultry producing facilities and discharges from boats and septic tanks; create a system of scenic rivers. Beach, Coastal and Estuarine Protection- strengthen existing law concerning dredging and filling of marshlands and tidelands; empower coastal counties and municipalities to levy taxes for erosion control and hurricane protection projects; create State revolving fund (administered by Board of Water and Air Resources) for advances for local erosion control programs not financed by federal funds; provide for State responsibility for sand dune protection in counties where no provision has been made. Marine Research- accept the donation and transfer of the Wrightsville Marine Bio-Medical Laboratory to UNC at Wilmington; accept donation of Roosevelt property in Carteret County for education-scientific "Sea-Lab." Natural Resources- require oil shippers to pay a fine, cleanup costs and damages in the event of oil spills in coastal and harbor waters; require permit for any new oil handling facility; broaden coverage of oil and gas conservation laws to prevent environmental damage in explorations and other activities; authorize Utilities Comm'n to prescribe and enforce controls on environmental damage by public utilities; make comprehensive study of soil erosion and sedimentation problem and submit plan to 1973 General Assembly. Community Appearance- declare littering illegal on all State-owned lands; strengthen laws on junked motor vehicles; establish municipal appearance commissions. Mining- require that mined-over lands be reclaimed by some reasonable procedure. Pest Control Compact- join other states in nationwide pest control compact. Inter-state Environment Compact- join 17-state Southern Regional Environmental Compact. Pesticide Law- create Pesticide Board to regulate use and disposal of pesticides through Commissioner of Agriculture. Regional Water Systems- provide for planning and construction of regional water supply systems. Land Use Planning and Policy- recognizing NC's rural/urban balance, authorize NC Council on State Goals and Policy to make comprehensive study of land use patterns. Board of Water and Air Resources- revise composition of Board so as to bar possible conflicts of interest. Smith Island- initiate condemnation proceedings for the State to obtain Smith (Baldhead) Island.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 63

-477-

FRIDAY, APRIL 9, 1971

PUBLIC BILLS INTRODUCED

SENATE

S. 404 Banks suspending business-emergency
Introducer: Baugh

GS 53
Sent to BANKING

"To permit banks to suspend business during an emergency and for other reasons." Adds new GS 53-77.3 empowering Comm'r of Banks by proclamation to authorize closing of all banks in area in which emergency exists, or closing of a particular bank or banks for which emergency exists; "emergency" being defined as any condition or occurrence which may interfere physically with conduct of normal business operations or threaten safety or security of persons or property (examples include fire, hurricanes, storms, labor disputes or strikes, power failures, fuel shortages, robbery, epidemics, riots). Directs banks to remain closed until Comm'r or directors of bank determine end of emergency, the days bank was closed being considered legal holidays and the bank not being liable for losses due to closing.

S 406 Tax refunds to charitable groups
Introducer: Burney

GS 105
Sent to FINANCE

"To amend G.S. 105-164.14 to enable certain hospitals, educational institutions and other charitable and religious institutions to file claims for refund semiannually." Amends GS 105-164.14(b) to require Commissioner of Revenue to make sales and use tax refunds semiannually to charitable institutions. (Now, refunds made annually.) Authorizes groups requesting refunds to file written request for refund covering first six months of calendar year before Oct. 15 following said period, and April 15th following close of second six months period. (Now, request filed on or before April 15th for 12 month period.)

S 411 Criminal Justice Training Council
Introducers: Strickland and others

GS 143
Sent to CORRECTN

"Establishing the North Carolina Criminal Justice Training and Standards Council." Establishes NC Criminal Justice Training and Standards Council in either Executive Office of Governor or Dep't of Justice, with membership as follows: 5 chosen by Sheriffs' Assoc., 5 chosen by Assoc. of Police Executives, 1 from Justice Dep't chosen by Atty. Gen'l, 1 from DMV chosen by Comm'r Motor Vehicles, 1 for Correctional System chosen by Gov., 1 from courts chosen by Chief Justice, 1 at large chosen by Gov., Director of Inst. of Gov't, Director of Law Enforcement Training in Dep't Community Colleges, ECU and UNC-C's directors of Criminal Justice Programs. Sets out specified 1-yr., 2-yr., and 3-yr. terms for all members except named directors of particular agencies (for eventual 3-yr. staggered terms); authorizes reimbursement for expenses for all members and also regular state per diem for members who are not public officers or employees; empowers Gov. to name chairman; requires at least 4 regular meetings per year. Sets out powers of Council, which



generally include establishing minimum educational and training standards for employment in criminal justice system, certifying persons as qualified, development of training programs, stimulating research, setting minimum salary and benefit levels. Directs Council to provide by regulation that all persons employed as criminal justice officers complete training program and that officer also meet certain age, education, character, experience and other standards (with exception for officers already serving under permanent appointment on July 1, 1969). Authorizes Council to make state grants to localities of up to 60% of salary, tuition, living and travel expenses for officers attending approved training programs. Requires Council to be supported only by appropriations of General Assembly, except for donations and grants which are permitted by act.

S 412 Mentally ill patients' rights
Introducer: McGeachy

GS 122
Sent to MENTAL H

"To more adequately protect the rights of the mentally ill and for other purposes and to amend Chapter 122 of the General Statutes relating to Hospitals for the Mentally Disordered." Adds new Art.3A, "Patients' Rights" to Ch. 122 "to guarantee that no person by virtue of receiving the services of the Dep't of Mental Health or of any program approved by the Dep't or of any facility licensed by the Dep't shall lose in whole or in part any rights or liberties, except as provided by law." Enumerates rights as follows: all rights under Constitution or laws of NC or US; subject to other provisions of law, the right to register and vote, marry and obtain divorce, obtain and retain driver's license, dispose of property, execute instruments, make purchases, enter contractual relationships, devise and bequeath property unless adjudicated incompetent under Ch. 35, obtain representation by legal counsel with respect to status as patient regardless of ability to pay; right to no unauthorized publication or use of patient's judicial and hospital records (specifies manner in which and persons to whom confidential records may be disclosed). As to institutional inpatients declares right to adequate treatment and rehabilitation according to specified criteria (staff, treatment plans and record, annual review); right to personal privacy and dignity, to wear own clothes, keep and use personal possessions and reasonable sum of own money, receive visitors daily, have access to telephones and make and receive confidential calls, have access to letter-writing materials and to mail and receive unopened correspondence. Other rights include: freedom from physical restraints except in cases of imminent danger of infliction of injury to one's self or others, right not to be subjected to experimental research without patient's express and informed consent or that of his guardian or representative; right to choose among alternative forms of treatment and to refuse specific treatment unless determined incompetent to make decision; right to refuse electroshock therapy unless determined incompetent to make decision; right to receive remuneration for work done; right not to be arbitrarily transferred without medical or administrative justification and to be near own home if space available and consideration of patient's welfare; right to detention or treatment only in appropriate facilities excluding jails or penal facilities unless person formally charged or convicted of a crime.

Requires patients be informed of these rights and if right denied to patient, reason for such action be entered in patient's record and be reviewed every 30 days by person denying right. Requires two representatives be named for patient upon admission to any facility unless patient objects. Requires patient's representatives be informed of patient's admission and of rights guaranteed herein. Requires Commissioner to establish review boards in such number and location as to give patients access to them; boards to investigate allegations of violations of patient's right. Creates Patient's Advisor within Dep't to facilitate Art. and to have access to licensed attorney designated by Comm'r. Requires all employees of Dep't or any local program be responsible for carrying out duties with due regard for patients' rights. Effective July 1, 1972.

S 413 State history in public schools
Introducers: McGeachy and others

GS 115
Sent to EDUCATN

"Directing the State Board of Education to conduct a study for the purpose of improving instruction in state and local history in the public schools." Directs State Bd. of Educ. in cooperation with Director of Archives and History and Sec'y Revolution Bicentennial Comm'n to make study of historical materials, teacher preparation and curriculum development, and other matters relevant to superior course in history and gov't in public schools, and to make report of findings and recommendations to Gov. by July 1, 1972, and to Gen'l Assembly by Jan. 1, 1973.

HOUSE

H 654 (Joint Resolution) POW's day of prayer
Introducer: F. Farmer

MISC RES
Passed three readings

"Recognizing 'A Day of Prayer in North Carolina' for the Americans being held captive by the government of North Vietnam." As title indicates.

H 655 State fish-red drum
Introducer: Penton

GS 145
Sent to ST GOVT

"Designating the Channel Bass (Red Drum) as the official State salt water fish." Adds new GS 145-6 as title indicates.

H 662 Moore's Creek battleground funds
Introducer: James and others

APPROPRIATION
Sent to APPROPRN

"To appropriate to the Moore's Creek Battleground Association funds to purchase acreage for Moore's Creek Battleground in Pender County." Appropriates \$20,000 for fiscal 1971-72 to Moore's Creek Battleground Assoc. to purchase 12 acres to be donated to the Nat'l Park for the battleground, and \$1,000 for biennium 1971-73 to be used by Assoc. for holding founder's day and for holding its annual meeting.

H 672 Old Wilkes Jail funds
Introducer: J. Brown

APPROPRIATION
Sent to APPROPRN

"To appropriate funds to assist in the restoration of the Old Wilkes County Jail in Wilkesboro." Appropriates \$32,000 for 1971-73 biennium to Dep't Archives and History to be used for restoration of Old Wilkes County Jail, subject to controls of Historic Sites Advisory Committee and conditioned on raising of like amount by Old Wilkes, Inc. Effective July 1, 1971.

H 673 School bus operators certification
Introducer: Fenner

GS 20
Sent to HY SAFTY

"To amend G.S. 20-218 to provide a penalty for operating a school bus occupied by children without proper certification." Provides punishment of \$50 or 30 days to violate first para. of GS 20-218 which prohibits operating a school bus occupied by children unless certified as qualified to do so by Highway Patrol, or other representative designated by Comm'r Motor Vehicles, and by chief mechanic in charge of school busses in county. Effective July 1, 1971.

H 679 Joel Lane House funds
Introducer: Wynne and others

APPROPRIATIONS
Sent to APPROPRIATION

"To appropriate funds to assist in the restoration of the Joel Lane House ("Wakefield") in the City of Raleigh." As title indicates appropriates to Dep't of Archives and History for 1971-73 biennium \$30,000 for assisting in restoration of "Wakefield" provided a like amount is raised by Colonial Dames from non-State sources. Effective July 1, 1971.

H 682 Summary ejectment in mobile homes
Introducer: Short

GS 42
Sent to JUDIC 1

"To amend Chapter 42, Article 3, of the General Statutes to make this article applicable to rental of mobile homes." Adds new GS 42-36.1 making summary ejectment provisions of statutes applicable to lease or rental of mobile homes as defined in GS 143-145 (defines "mobile home" as movable or portable dwelling over 32' long and 8' wide, towable and without permanent foundation).

H 683 Sweet potato research funds
Introducer: Green

APPROPRIATION
Sent to AGRICULT

"To appropriate funds to North Carolina State University Food Science Department for sweet potato marketing research." Appropriates \$30,000 each year of 1971-73 biennium for salaries, supplies and equipment, as title indicates. Effective July 1, 1971.

LOCAL BILLS INTRODUCED

SENATE

S 403 Primary elections
Introducer: Norton

AVERY
Sent to LOC GOVT

"To make the primary laws applicable to Avery County." Makes all provisions of primary laws for nominating candidates, GS Ch. 163, applicable to Avery County. Repeals Ch. 439 and Ch. 442 1955 SL insofar as they conflict.

S 405 Wound reports by hospitals
Introducers: Burney and Warren

PENDER, ALAMANCE
Sent to JUDIC 1

"To amend Chapter 4 of the 1971 Session Laws so that it will apply to Pender County." Adds Alamance and Pender to counties to which Ch. 4, SL 1971 applies (now only New Hanover), requiring physicians and hospitals in those counties to report to law enforcement authorities the name of patient and his injuries when wound caused by gun, knife, or other deadly weapon; it being a misdemeanor not to make report. (Ch. 4 originated as S 6; for more thorough digests of S 6, Committee Substitute and amendment see Bulletin No. 1, p. 2, and Bulletin No. 13, p. 87). (Note also H 413 which would add Alamance to Ch. 4.)

S 407 Bd. of education election (Iden. H 665)
Introducer: Futrell

MARTIN
Sent to LOC GOVT

"To provide for the nomination and the election of members of the Martin County Board of Education." Provides Martin Bd. of Education to consist of six members serving terms of four years each from the following districts: No. 1, Bear Grass School Attendance Zone; No. 2, Jamesville School Attendance Zone; No. 3,

Williamston School Attendance Zone (two members); No. 4, Goose Nest-Hamilton School Attendance Zone; and No. 5, Robersonville-Everetts School Attendance Zone. Provides for election of three members of Board in primary election in 1972 and three members in primary of 1974, and establishes procedures for candidacy and election of members.

S 408 Five gallons liquor-Tryon POLK
Introducer: Alley Sent to ABC

"To amend the Session Laws of 1969, Chapter 617, Section 3 to include the Town of Tryon." Adds Tryon to list of counties and municipalities permitting transportation of up to five gallons of alcoholic beverages under permit-issuing procedure set out in GS 18-49.6 through -49.10.

S 409 Tryon ABC funds POLK
Introducer: Alley Sent to ABC

"To amend Chapter 939 Session Laws of 1951 to allocate ABC funds." Rewrites Sec. 6, Ch. 939, 1951 SL to provide Tryon ABC bd may retain not less than 5% nor more than 20% of net profits for law enforcement, and directs remaining net profits be distributed quarterly as follows: 5% to Harmon Field Commission for capital improvements useful in recreational activities, 10% to Field Commission for maintenance and current operations, 70% to Town for any lawful public purpose, 20% to Polk County for any lawful public purpose (now, 70% goes to Town, 25% to County and 5% to Field Commission).

S 410 RDU Airport bonds DURHAM, WAKE
Introducers: Currie, Bailey and Coggins Sent to LOC GOVT

"To amend Chapter 168 of the Public-Local laws of 1939, as amended, relating to the Raleigh-Durham Airport and authorizing the issuance of revenue bonds by the Raleigh-Durham Airport Authority." Adds new paragraph to Section 7 of said act (Powers of Airport Authority) authorizing Authority to issue bonds, notes or other securities and obligations to provide funds for construction-related activities, for purchase of equipment and other personal property needed, for refunding outstanding bonds and notes issued in anticipation of issue of bonds thereafter to be made. Provides bonds' maturation date not to exceed 35 years; otherwise Authority to decide all questions as to form, denomination, maturation date, and rate of interest. Exempts bonds and interest thereon from all local, State and federal taxes. Provides bonds not to be obligation of Cities of Durham or Raleigh or Counties of Wake and Durham, but authorizes Authority to pledge future revenues, rents, etc. arising from use of any Airport property. Makes Revenue Bond Act of 1938 applicable to Authority's bond-issuing procedures.

S 414 County manager referendum (Iden. H 668) HAYWOOD
Introducer: Alley Sent to LOC GOVT

"To provide for an election in Haywood County regarding the employment of a county manager." Authorizes Haywood County Bd. of Comm'rs to call special election on whether chairman of comm'rs shall continue to serve as county manager or full-time county manager shall be employed, vote in favor of full-time manager requiring comm'rs to appoint him within 30 days after comm'rs elected at next election take office. Makes GS Ch. 153, Art. 3 provisions on duties of county manager applicable to Haywood's manager when and if appointed.

HOUSE

H 656 Urban development-private sales
Introducer: Penton

NEW HANOVER
Sent to JUDIC 1

"Relating to New Hanover County and the Urban Development Law." Removes SL 1963, Ch. 1212's exemption of New Hanover from provisions of GS 160-464 which allow urban development comm'n to, after public hearing, sell property to non-profit assoc. or corp. operated exclusively for educational, scientific, literary, cultural, charitable or religious purposes, the property to be used for the assoc's purposes in accordance with the redevelopment plan, and the price paid to be not less than the fair value as agreed upon by committee of three professional appraisers appointed by comm'n.

H 657 School teacher pensions
Introducer: Penton

NEW HANOVER
Sent to LOC GOVT

"To amend Chapter 385 of the Public Local Laws of 1921, relating to pensions for school teachers in New Hanover County, as amended." Adds new 3(c) to above chapter making pension act inapplicable to any person whose employment by Bd. of Educ. of New Hanover commences on or after May 1, 1971.

H 658 Emerald Isle corporate limits
Introducer: Barker (by request)

CARTERET
Sent to JUDIC 1

"To amend Chapter 1291, Session Laws of North Carolina, 1957, being the Charter of the Town of Emerald Isle relating to the corporate limits." Rewrites Sec. 2 of above chapter to provide new corporate limits, described in detail in bill.

H 659 Numbered seats in elections
Introducers: Barker and Bright

CRAVEN
Sent to LOC GOVT

"To require numbered seats in District Number One for purpose of nominating and electing commissioners from that district." As title indicates, requires County Bd. of Elections to designate seats as 1 and 2, nomination and election to be by seat.

H 660 Hunting from highways
Introducers: Roberson and Burrus

HYDE
Sent to WILDLIFE

"To prohibit hunting with rifles from highways in Hyde County." Makes it unlawful to hunt, kill, take or attempt to hunt, kill or take any animal by or with use of rifles from any public road, highway, street or thoroughfare in Hyde county, violation being misdemeanor punishable by \$50 or 30 days or both.

H 661 Kennel tax
Introducer: Hardison

LENOIR
Sent to LOC GOVT

"To provide for the listing of dogs and a kennel tax in Lenoir County." Provides every owner of kennel of 10 or more dogs in Lenoir County must list kennel along with other property in January tax listing and pay annual tax of \$10; person listing dog other than his own guilty of misdemeanor punishable by \$50 or 30 days. Exempts Lenoir dogs from tax set out in GS 67-33 by making Ch. 594, SL 1957 inapplicable.

H 663 County school merger
Introducer: Harris

ALAMANCE, ORANGE
Sent to LOC GOVT

"To provide for an election on the issue of merger and consolidation of a certain described area presently located in the Orange County School Administrative Unit with the Alamance County School Administrative Unit." Requires election be held within 60 days after act's ratification on date established by Orange Bd. of Comm'rs in area described in detail in bill, on issue whether or not said specifically described area shall be merged and consolidated with Alamance County School Administrative Unit. Election to be conducted by Orange Bd. of Elections; no new registration required. Requires election be nonpartisan in accordance with GS Ch. 163; sets out ballot form.

H 664 Saluda property exchange
Introducer: R. Jones

POLK
Sent to LOC GOVT

"To authorize the City of Saluda to exchange certain real estate." Authorizes Saluda to convey certain lot to Herbert and Corrie Waters in exchange for a certain strip of land, both parcels of land being described in bill.

H 665 Bd. of education election (Iden. S 407)
Introducer: Everett

MARTIN
Sent to EDUCATN

"To provide for the nomination and the election of members of the Martin County Board of Education." Identical with S 407, digested in the Senate section of today's Bulletin.

H 666 Greensboro housing auth. membership
Introducer: M. Smith

GUILFORD
Sent to LOC GOVT

"To amend G.S. 157-5 to increase the membership of any housing authority organized in or for the City of Greensboro from five to seven commissioners." Adds to GS 157-5 provision requiring mayor to appoint for any housing authority organized in or for Greensboro 2 commissioners for 3 and 5 yr. terms respectively, terms to commence on July 1, 1971. Thereafter provides for 5 yr. terms. Requires at least one commissioner be tenant of housing authority at time of his appointment. Authorizes quorum of 4 commissioners.

H 667 Whiteville firemen retirement fund
Introducer: Soles

COLUMBUS
Sent to LOC GOVT

"To provide a supplemental retirement fund for firemen in the City of Whiteville and to modify the application of G.S. 118-5, G.S. 118-6, and G.S. 118-7 to the City of Whiteville." Provides Bd. of Trustees of the Local Firemen's Relief Fund of Whiteville (established in accordance with GS 118-6) to create fund separate from local Relief Fund, new fund to be called Whiteville Firemen's Supplemental Retirement Fund. Orders Board notwithstanding GS 118-7 to maintain balance of Local Relief Fund at \$500, all additional monies to be in Supplemental Retirement Fund. Provides volunteer firemen at age 60 and with 25 years service to be paid from Supplemental Fund monthly amount equal to \$1.50 for each year's service with limit in benefits of \$450 per year; full-time paid firemen at age 60 and with 25 years service to receive monthly benefit from Supplemental Fund equal to 2% of monthly salary at time of retirement for each 5 years of service, with limit of 10% of salary; volunteer firemen at age 55 and with 25 years service under early retirement plan to receive monthly amount of \$1 for each year of service, limit of \$300 per year; full-time firemen early retirement provides at age 55 with 25 years service to be paid 1 1/2% previous salary for each five years service with limit of 7 1/2% of that

salary. Provides fireman injured in line of duty to receive monthly compensation from Supplemental Fund as determined by Board but not to exceed fulltime firemen early retirement benefits as described above. Board authorized to invest any monies in Local Relief Fund or Supplemental Retirement Fund in accordance with investment limitations of GS 159-28.1, and to accept gifts to Supplemental Fund. Board to bond Treasurer of Local Relief Fund with sufficient bond, such bond to be in lieu of bond required by GS 118-6.

H 668 County manager referendum (Iden. S 414)
Introducers: Messer and Ramsey

HAYWOOD
Sent to LOC GOVT

"To provide for an election in Haywood County regarding the employment of a county manager." Identical with S 414 digested in Senate section of today's Bulletin.

H 669 Air rifles restricted
Introducers: Bryan, High, G. Jernigan, Raynor

CUMBERLAND
Sent to LOC GOVT

"To amend G.S. 14-316 relating to possession of firearms by children under 12 years as it pertains to Cumberland County." Adds Cumberland to counties for which air rifles, air pistols, and BB guns are defined as dangerous firearms for purposes of GS 14-316, that section making it misdemeanor (\$50 or 30 days) for parent to knowingly permit child under 12 to have possession, custody, or use of dangerous firearm except when under the supervision of the parent.

H 670 Local gov't study comm'n
Introducer: Bryan

CUMBERLAND
Sent to LOC GOVT

"Creating the Cumberland County Local Government Study Commission." As title indicates.

H 671 North Wilkesboro annexation
Introducer: J. Brown

WILKES
Sent to LOC GOVT

"To annex a certain area to the Town of North Wilkesboro." As title indicates, annexes area to North Wilkesboro described in detail in bill.

H 674 Hunting season
Introducer: Baker

DUPLIN, PENDER
Sent to WILDLIFE

"To amend Chapter 258 of the 1969 Session Laws relating to hunting season in Pender County and Duplin County." Rewrites Sec 10 Ch 258, 1969 SL (establishing hunting season for bear, deer and squirrels). Makes sections 1-7 applicable only in Pender County, Sec 8 applicable only in Duplin County, and Sec 9 and 11 applicable in both. (Now Sec 1-11 applicable in both.)

H 675 Tax listing
Introducer: C. Smith

ORANGE
Sent to LOC GOVT

"To amend Sections 105-306(26); 105-308; 105-309 and 105-310 of the General Statutes of North Carolina in order to authorize the Board of Commissioners of Orange County to prescribe regulations relating to the listing of property for taxation in Orange County." Authorizes Orange County Commissioners to prescribe regulations as to type and form of oath or declaration and manner of administering it to persons, firms and corporations listing property for taxation in Orange County, and to prescribe regulations for listing of property for taxation by agents and tax lists submitted by mail. GS 105-306(26), 105-308 to 105-310 applicable to Orange County except insofar as they are inconsistent with above regulations adopted by Bd. GS 105-307 applicable to Orange (making it misdemeanor to fail properly to list property for ad valorem tax purposes) and shall also apply to any regulations Bd of Commissioners may adopt.

H	676	County ABC profits	DURHAM
		Introducers: Whichard, Royall and Miller	Sent to ABC

"Relating to the profits from liquor control stores in Durham County."
Amends Sec. 1, Ch. 1097, SL 1957 to have all surplus net profits from ABC stores located in Durham County paid into that county's general fund (now, 30% paid to City of Durham's general fund and 70% to county's general fund). Effective July 1, 1971.

H 677	Hunting wild hogs	JACKSON, TRANSYLVANIA
	Introducer: Taylor	Sent to WILDLIFE

"To protect wild or feral hogs in Jackson and Transylvania counties."
Declares wild or feral hogs to be game animals and makes taking them unlawful between Oct. 15, 1971 and Oct. 15, 1973. After 1973 open season for said hogs shall be Oct. 15 to Jan. 1 and specifies bag limit of 1 per day, 2 per season, and 2 in possession. Violation constitutes misdemeanor punishable by imprisonment, maximum \$500 fine or both.

H 678 Mocksville ABC referendum DAVIE
Introducers: Huskins and A. Smith(by request) Sent to ABC

"Authorizing the establishment of town liquor control stores in the Town of Mocksville upon a vote of the people and providing for the allocation of the net proceeds from the operation of such stores." Provides Mocksville Bd. of Comm'rs may on its own motion and shall upon receipt of petition signed by 15% of Town's voters order election on question of ABC stores for Town. Sets out procedures for holding of initial and subsequent elections. Should stores be established, profits to be divided as follows: 5% for Davie County Library; 25% for Mocksville Recreation Comm'n; 20% for law enforcement; and 50% to Town's general fund.

H 680 Southport ABC profits BRUNSWICK
Introducer: Harrelson Sent to ABC

"To amend Chapter 819 of the 1957 Session Laws relating to the division of ABC profits." Rewrites Sec. 6(a) and (b) Ch. 819, SL 1957 to provide 10% ABC profits go to Brunswick County Bd. of Education for benefit of county schools to be expended at Bd.'s discretion (previously 20%) and 20% go to City of Southport, one-half for use and benefit of elementary school and junior high, and one-half for high school. (Previously 10% allocated for Southport high school only.)

H	681	Hunting from highways	MOORE
		Introducer: Auman	Sent to WILDLIFE

"Prohibiting the hunting with rifles of deer from highways in Moore County." As title indicates; violation constitutes misdemeanor punishable by fine of \$50 or imprisonment for 30 days, or both.

H 684	No numbered House seats-18th Dist.	DURHAM
	Introducer: Miller	Sent to ELECTION

"To amend Chapter 1063 of the 1967 Session Laws." Adds 18th District (Durham County) to list of House districts having more than one member which elect members at large rather than by numbering seats.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

- S 379 (Halifax) Roanoke Rapids city manager election (digested in Bulletin No. 58, p. 424; Senate amendment digested in Bulletin No. 61, p. 459)
Technical amendment adopted in House 4/9/71.

HOUSE BILLS

- H 189 Estates-transfer of autos (digested in Bulletin No. 22, p. 144;
Committee Substitute adopted in House 3/4/71)
Committee Substitute adopted in Senate 4/9/71 adds provision that if decedent dies testate with small estate and purported will, which in opinion of Superior Court Clerk does not justify expense of probate, and administration is not demanded by any interest party entitled by law to demand same, and provided purported will is filed in public records office of Superior Court Clerk, Dep't of MV may transfer title of auto to any person designated in affidavit executed by all heirs. (Original bill only permitted transfer if decedent died intestate.)
- H 432 (Orange) County school board election (digested in Bulletin No. 43, p. 313)
Technical amendments adopted in House 4/9/71.
- H 449 School bus stop changes (digested in Bulletin No. 45, p. 325)
Amendment adopted in House 4/9/71 makes act effective on July 1, 1971 rather than on ratification.
- H 462 (Orange) Chapel Hill assessments (digested in Bulletin No. 46, p. 332)
Technical amendments adopted in House 4/9/71.
- H 521 Nat'l Guard-State duty-min. pay (Iden. S 333) (digested in Bulletin No. 53, p. 384)
Amendment adopted in House 4/9/71 makes clear that act applies to enlisted men as well as officers.
- H 536 (New Hanover) City-county consolidation vote (digested in Bulletin No. 55, p. 394)
Amendment adopted in House 4/9/71 makes minor and technical changes.
- H 592 (Wilson) Authority to order autopsies (Iden. S 384) (digested in Bulletin No. 59, p. 436)
Technical amendment adopted in House 4/9/71.

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 23 SAFE DRIVERS' LICENSE RENEWAL. S-PLACED ON CAL FOR APR 14.
S. 214 DRIVER LICENSE REVOCATION-PATIENTS.(4/01) H-REPTD FAV.
#S. 299 POWELL BILL FUNDS.(3/30) RATIFIED CH. 182.
H. 2 18 YEAR OLD VOTE-1.(3/16) S-REPTD FAV; S-PLACED ON CAL FOR APR 14.
H. 95 EMINENT DOMAIN JURY TRIALS. H-PASSED 2ND & 3RD READING.
H. 189 ESTATES-TRANSFER OF AUTOS.(3/04, 4/09) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
#H. 226 FILLING PUBLIC OFFICER'S VACANCY.(3/05, 3/05, 4/07) RATIFIED CH. 183.
H. 303 SHOPLIFTING ARREST LIABILITY.(3/30, 3/31) S-PLACED ON CAL FOR APR 13.
H. 305 UNIFORM DATE FOR CANDIDACY. S-REPTD FAV.
H. 326 SCHOOL ACCESS ROAD ACQUISITION. H-PASSED 2ND READING.
H. 327 PAVING PUBLIC SCHOOL DRIVEWAYS. H-POSTPONED TO APR 13.
H. 342 INCREASE LIMITS NO-BID CONTRACTS. H-PASSED 2ND & 3RD READING.
H. 410 VEHICLE REPAIR LIEN. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
H. 442 WORKING PRISONERS REPEALER. S-PLACED ON CAL FOR APR 13.
H. 447 AMBULANCE ATTENDANTS. H-POSTPONED TO APR 20.
H. 448 VITAL STATISTICS CHANGES. H-POSTPONED TO APR 13.
H. 449 SCHOOL BUS STOP CHANGES.(4/09) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
H. 460 AID-TO-BLIND,INTERCOUNTY TRANSFER. S-REPTD FAV.
H. 463 IMMUNIZATION OF CHILDREN.(4/02) S-PASSED 3RD READING.
H. 482 REQUIRING EMISSION CONTROL DEVICE.(4/08) H-RE-REF COM ON WATER.
H. 492 ROAD-SIDE REST AREAS-NO LOITERING. H-RE-REF COM ON JUDIC 2.
H. 501 (H.RES.) RATIFYING 19TH AMENDMENT. H-PASSED 2ND & 3RD READING.
H. 521 NAT'L GUARD-STATE DUTY-MIN. PAY.(4/09) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
H. 533 FRANKLIN MAGISTRATES. S-REC FROM HOUSE; S-REF TO COM ON COURTS.
H. 574 (J.RES.) INTERNATIONAL TEXTILE TRADE. S-REPTD FAV.
H. 579 (J.RES.) REQUESTING CLEMENCY FOR CALLEY-2. H-RE-REF COM ON MILITARY.
H. 654 (J.RES.) POW'S DAY OF PRAYER. H-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 176 (BRUNSWICK) OCEAN ISLE TAX LIMIT REPEAL. H-PASSED 2ND READING.
- S. 260 (LENOIR) KINSTON REALTY SALES.(3/30) H-PASSED 2ND READING.
- #S. 282 (SAMPSON) ABC ELECTION, NEWTON GROVE. RATIFIED CH. 181.
- S. 305 (GUILFORD) COUNTY OFFICERS-BONDS. H-PASSED 2ND & 3RD READING.
- S. 307 (GUILFORD) MORE BINGO PERMITTED. H-PASSED 2ND & 3RD READING.
- S. 379 (HALIFAX) ROANOKE RAPIDS MANAGER ELECTION.(4/07, 4/09) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 180 (CARTERET) MORE MAGISTRATES. S-REC FROM HOUSE; S-REF TO COM ON COURTS.
- H. 228 (BUNCOMBE) INCORPORATING WOODFIN. H-REPTD FAV AS AMENDED; H-PLACED ON CAL FOR APR 13.
- H. 354 (WASHINGTON) PISTOL PERMITS. S-PLACED ON CAL FOR APR 13.
- H. 432 (ORANGE) COUNTY SCHOOL BOARD ELECTION.(4/09) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 462 (ORANGE) CHAPEL HILL ASSESSMENTS.(4/09) H-COM AMEND ADOPTED; H-PASSED 2ND READING.
- H. 520 (NEW HANOVER) BOARD OF EDUCATION-PAY. H-PASSED 2ND & 3RD READING.
- H. 525 (HARNETT) COATS ABC PROFITS ALLOCATION. H-PASSED 2ND & 3RD READING.
- H. 536 (NEW HANOVER) CITY-COUNTY CONSOLIDATION VOTE.(4/09) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 539 (NORTHAMPTON) GARYSBURG-OFFICIALS & ELECTIONS. H-PASSED 2ND & 3RD READING.
- H. 540 (BEAUFORT) WASHINGTON BICENTENNIAL FUNDS. H-PASSED 2ND & 3RD READING.
- H. 565 (CARTERET) TRAPPING LAW. H-PASSED 2ND & 3RD READING.
- H. 571 (NASH) NASHVILLE TOWN LIMITS. H-PASSED 2ND READING.
- H. 586 (ALAMANCE) HUNTING ON ROADS, HIWAYS. H-PASSED 2ND & 3RD READING.
- H. 587 (STOKES) CORPORATE LIMITS-TOWN OF KING. H-PASSED 2ND READING.
- H. 592 (WILSON) AUTHORITY TO ORDER AUTOPSIES.(4/09) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.

Next Sessions of Senate and House: 9:00 a.m., Saturday, April 10, 1971;
8:00 p.m., Monday, April 12, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 64

-489-

MONDAY, APRIL 12, 1971

Note: The Senate and House convened at 9:00 a.m. on Saturday, April 10, 1971, for consideration of local bills only. No bills were introduced and no calendar action was taken in either Chamber.

PUBLIC BILLS INTRODUCED

SENATE

S 415 (Joint Resolution) Commemorating Halifax Resolves MISC RES
Introducer: Allsbrook Passed three readings
and sent to House

"Commemorating the 195th anniversary of the Halifax Resolves." As title indicates.

S 416 Noting bank taxation study STUDY, MISC RES, GS 105
Introducers: Moore and others Sent to BANKING

"Pertaining to the study of the taxation of banks in North Carolina by the North Carolina Tax Study Commission." Notes that study on bank taxation by Tax Study Comm'n will not be completed before adjournment of 1971 General Assembly and expresses sense of Senate that during 1971 Session no change be made in laws governing taxation of banks.

S 417 Fleeing siren or blue light GS 20
Introducer: F. Jones Sent to HY SAFTY

"To amend G.S. Chapter 20 to create the misdemeanor of fleeing when given a signal to stop by a law enforcement officer by means of a siren or a flashing blue light." Adds new section to GS Ch. 20 making it a misdemeanor (\$500 to 90 days) to flee when signaled by law enforcement vehicle using siren or flashing blue light, increasing speed or otherwise attempting to avoid police being evidence of violation. Authorizes Comm'r of MV to suspend driver's license of violator for up to 3 years, provision being made for hearing before actual suspension if requested, and person whose license is suspended being allowed to apply for license after 18 months and receive it (with conditions set by DMV) if he has been of good behavior. (For digest of related bill, S 69 Fleeing apprehension-80 mph. see Bulletin No. 12, p. 73.)

S 418 Stop for blue light GS 20
Introducer: F. Jones Sent to HY SAFTY

"To amend G.S. Chapter 20 to require motorists to pull over and stop when signaled to do so by means of a flashing blue light." Amends GS 20-157(a) to add flashing blue light to list of emergency signals (bells, sirens and exhaust whistles) for which motorists are required to pull to right-hand side of road and remain until signalling vehicle has passed, or officer has otherwise directed. Amends GS 20-16(c) to make conforming change in schedule of point values for suspensions.



S 419 (Joint Resolution) Chattooga as Wild River
Introducers: Killian and others

MISC RES
Sent to CONS&DEV

"Endorsing the inclusion of the Chattooga River in the National Wild and Scenic Rivers System." As title indicates.

S 420 Oil pollution, utility sites (Iden. H 685)
introducer: Allen and others

GS 62,113,143
Sent to CONS&DEV

"To provide for the protection and conservation of the natural resources of the State of North Carolina through regulation and control of sources of oil pollution, conservation of oil and gas resources, and standards for environmental protection in connection with the operation of public utilities." Adds new Art. 53 to GS Ch. 143--the Oil Pollution Control Act of 1971--providing for oil waste controls and requiring State permits for oil terminal and pipeline facility permits.

Provides for oil waste controls as follows: (1) Prohibits discharge of oil into any waters, tidal flats, sewers, drains, beaches or lands in NC regardless of fault, except for discharges authorized by regulations of Board of Water and Air Resources (hereafter "Board") or caused by act of God, war, sabotage, or governmental negligence. (2) Requires permit from Board for any proposed discharge of oil onto land or waters, under regulations of Board. (3) Requires person responsible for prohibited oil discharge into waters to collect and remove the oil or (if not practicable), to take measures to contain, treat and disperse it without detriment to the environment, and to notify Department of Water and Air Resources (DWAR) of the spill and measures to contain and remove. Authorizes Board to take steps to investigate, remove, contain, treat or disperse oil spills. Requires SHC, Dep't of C & D, Wildlife Comm'n and other State agencies to cooperate with DWAR in coping with oil spills, and in establishing plans and procedures therefor. (4) Makes persons responsible for oil spills (unless excused) liable to the State for cost of cleanup and for damage to fish, animals, vegetation and other public resources and spells out procedures for recovery of damages by Attorney General. Establishes Oil Pollution Protection Fund under Board as revolving fund to defray expenses of coping with oil spills, and consisting of appropriated funds plus fees, charges, penalties or other recoveries by Board under this Article. Authorizes use of Contingency and Emergency Fund for cleanup costs if Oil Pollution Protection Fund inadequate to defray costs. (5) Provides also for civil penalties for violations of Article, (maximum \$50,000 per violation, in discretion of Board), criminal penalties for intentional or willful discharges (misdemeanor, with maximum 6 months' imprisonment and/or \$50,000 fine or both), lien on vessel from which oil spilled for penalties and costs, and civil liability without fault for damage to persons or property.

Prohibits initiation of operation of oil terminal facility (capable of transferring, transporting, storing, processing or refining oil, with storage capacity in excess of 500 barrels), or pipeline facilities after 1/1/72 without operating permit from Board. Authorizes Board to adopt regulations governing oil terminal and pipeline design, construction and operation, and concerning reporting, inspection, discharge reports, procedures for removal of oil pollutants, and safety requirements for vessels and vehicles. Provides for civil penalties (\$100 - \$10,000) and criminal penalties (misdemeanor, up to 3 months and/or \$5,000) for violations of this paragraph.

Contains provisions identical to H 117 (digested in Bulletin No. 14, p. 89) concerning triggering of Oil and Gas Conservation Act of 1945, and authorizing regulations thereunder to protect environmental quality. Also amends GS 113-378 to increase maximum bond of oil and gas well drillers to \$5,000 (now, \$2,500), and amends GS 113-380 to increase fines for violation of Oil and Gas Conservation Act to minimum \$2,500 (now \$500) and maximum \$10,000 (now \$2,000).

Adds new GS 62-53 to authorize NC Utilities Comm'n to adopt regulations establishing standards to protect the environment as affected by public utility operations, including: (a) rules concerning cooperation with other State agencies in control of air and water pollution by utilities and nuclear radiation hazards; and (b) regulations concerning underground wiring, siting and construction of electric and natural gas transmission facilities, and of electric generating plants and other utility installations and facilities affected. These provisions are to be supplemental to, and not to abridge the powers of, the Board of Water and Air Resources and the State Board of Health.

Effective July 1, 1971.

S 421 Joel Lane House funds (Iden. H 679)
Introducer: Bailey

APPROPRIATION
Sent to APPROPN

"To appropriate funds to assist in the restoration of the Joel Lane House ('Wakefield') in the City of Raleigh." Identical with H 679, digested in Bulletin No. 63, p. 480.

HOUSE

H 685 Oil pollution, utility sites (Iden. S 420)
Introducers: Roberson and others

GS 62, 113, 143
Sent to CONS&DEV

"To provide for the protection and conservation of the natural resources of the State of North Carolina through regulation and control of sources of oil pollution, conservation of oil and gas resources, and standards for environmental protection in connection with the operation of public utilities." Identical with S 420, digested in the Senate section of today's Bulletin.

H 686 Disposing of abandoned vehicles
Introducers: M. Smith and others

GS 153
Sent to LOC GOVT

"To amend G.S. 153-9 by adding two new subsections to grant county boards of commissioners authority to provide for disposal of abandoned vehicles within county." Adds new subsections to GS 153-9 authorizing county bds. of comm'rs to provide by ordinance for removal of abandoned motor vehicles from public or private property, defining abandoned to include the following: (1) left on public property in violation of parking ordinance; (2) failing to display current license tag; (3) partially dismantled or wrecked; (4) incapable of self-propulsion; (5) left on county property for over 24 hours; (6) left on private property without consent for over 2 hours; (7) left on any public grounds for over 7 days. Requires written request of owner or occupant of private property before abandoned vehicle removed from that property, unless declared health or safety hazard. Directs notice be given to registered owner of vehicle, who is liable for removal costs, and authorizes public or private sale of vehicle after 30 days if owner does not pay costs or cannot be found and vehicle is appraised at over \$50 (or disposal by other means if under \$50), proceeds of sale going to costs of removal with any remainder to general fund or to owner if he later turns up. Defines any abandoned vehicle which is inoperable, dismantled or damaged, 5 years or older, and worth less than \$25, or junk motor vehicle, and authorizes ordinance for removing it from public or private property, the latter under same restrictions as above. Directs junk vehicle be held 15 days, during which time it can be claimed by owner, and be disposed of thereafter. Provides for notice to DMV of actions taken under act.

H 687 Repealing charters-inactive towns
Introducer: S. Johnson

GS 153,160
Sent to JUDIC 1

"To repeal the charters of inactive municipalities." Repeals charters of following towns (each identified by county and town name): Anson-Sneedsborough and South Wadesboro. Ashe-Ore Knobb and Warrentown. Ashe and Watauga-Todd. Beaufort-Corepoint, Edwards, Pinetown, South Creek, and Yeatsville. Bladen-Council. Buncombe-Alexander, Arden and Jupiter. Burke-Hildebran. Caldwell-Collettsville, Grandin, Mortimer, and Patterson. Camden-Shiloh and South Mills. Carteret-Atlantic and Portsmouth. Caswell-Leasburg. Catawba-Plateau or Keeversville. Chatham-Bennett, Gulf, and Merry Oaks. Cherokee-Culberson and Marble. Chowan-Center Hill. Cleveland-Casar, Earl or Earl Station, and Fallston. Columbus-Cronly or Acme, Hub or Boardman, Cerro Gordo, Evergreen, Hallsboro, Honey Hill, New Berlin and Sidney. Cumberland-Cumberland and Manchester. Dare-Hatteras. Davidson-Yadkin College. Davie-Advance and Fork Church. Duplin-Bowdens, Hallsborough or Hallsville and Sarecta or Serecta. Edgecombe-Coakly, Lawrence, Leggett or Leggets, Mildred, Sparta or Old Sparta, and Saint Lewis. Forsyth-Bethania and Vienna. Gaston-Alexis, Dellview, Hardin, Hardin Cotton Mills, and Mountain Island. Gates-Eure. Granville-Virgilina. Greene-Contentnea, Jason, Maury and Scuffleton. Guilford-Guilford College and Stokesdale. Halifax-Palmyra, Ringwood, and Tillery. Harnett-Averasboro and Bunlevel. Hertford-Mapleton. Hoke-Dundarrach. Hyde-Middleton, Nebraska, and Sladesville. Iredell-Mount Morne and Williamsburg. Jackson-Balsam (Village of), Cashiers and Glenville. Lee-Swann's. Lenoir-Graingers. Lincoln-Crouse, Denver, and Iron Station. Macon-Otto. Martin-Goldpoint. Moore-Jackson Springs and Keyser. Nash-Westray. Northampton-Margaretsville, Milwaukee, and Pendleton. Pamlico-Hollyville and Pamlico. Pasquotank-Nixonton. Pitt-Bell-Arthur or Arthur, Marlboro, Oakley, Pactolus, Shelmerdine, and Stokes. Polk-Mills Springs. Randolph-Archdale, Farmer, New-Market, New Salem, and Trinity. Richmond-Lewarae, Norman, and Roberdel. Roberson-Kingsdale, Marietta, Orrum, and Pates. Rowan-Enochville or Enochville, Gold Hill, and Woodleaf. Sampson-Parkersburg. Scotland-Hasty. Stanly-Locust. Stokes-Germanton and Hairstonborough. Surry-Rockford. Swain-Proctor. Vance-Williamsborough. Wake-Eagle Rock. Warren-Manson and Vaughn or Vaughans. Washington-Cherry. Wayne-Dudley and Patetown. Wilson-Boyett, Bridgersville, Wilbanks, and Town Creek. Yadkin-Hamptonville and Huntsville.

Revokes and repeals following charters granted by Municipal Board of Control: Johnston-Wilson Mills. Pitt-Simpson. Yadkin-Smithtown.

H 688 Night sale of cotton
Introducer: Twiggs

GS 14
Sent to JUDIC 2

"To repeal G.S. 14-345 regarding sale of cotton at night under certain conditions." Repeals GS 14-345, prohibiting sale of certain quantities or types of cotton between sunset and sunrise.

H 689 Hiring certain servants
Introducer: Twiggs

GS 14
Sent to JUDIC 2

"To repeal G.S. 14-348 regarding the hiring of a servant who has unlawfully left his employer." Repeals GS 14-348, prohibiting hiring of servant who has unlawfully left his employer (now, applicable only to 15 named counties).

H 690 Prosecuting officer-escapees
Introducer: Twiggs

GS 14
Sent to JUDIC 2

"To repeal G.S. 14-240 regarding the solicitor to prosecute officer for escape of a prisoner." Repeals GS 14-240, requiring solicitors to prosecute certain officers charged with the custody of escaped prisoners.

H 694 Driver's license re-exam
Introducer: Fenner

GS 20
Sent to HY SAFTY

"To amend G.S. 20-29.1 to authorize cancellation of license for failure to submit to or pass re-examination upon request of the Commissioner of Motor Vehicles." Rewrites GS 20-29.1 (authorizing Comm'r of Motor Vehicles, for good cause, to require drivers' re-examination) to provide that Comm'r may cancel license of person failing re-examination (now, Comm'r has no authority to cancel license, only to suspend, revoke or issue license subject to restrictions). Also provides that refusal or neglect of licensee to submit to re-exam is grounds for cancellation of license, effective until person satisfactorily complies with re-exam requirements (now, refusal or neglect is grounds for suspension or revocation of license; statute does not now provide for reinstatement of license upon satisfactory completion of re-exam). Effective July 1, 1971.

H 695 (Joint Resolution) Alamance "Regulators"
Introducers: Long and Harris

MISC RES
Passed three readings
and sent to Senate

"Commemorating the bicentennial celebration of the Battle of Alamance".
As title indicates.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 691 Quail hunting season
Introducers: Falls and Mauney

CLEVELAND
Sent to WILDLIFE

"Fixing the quail hunting season in Cleveland County." Fixes dates of quail open hunting season at Nov. 27 through March 11.

H 692 Quick-take condemnation
Introducer: McDaniel (by request)

FORSYTH
Sent to LOC GOVT

"Amending the Charter of the City of Winston-Salem so as to make the eminent domain provisions in the Charter of the City of Greensboro applicable to the City of Winston-Salem." As title indicates. (Greensboro Charter provision authorizes condemnation of lands, water rights and other interests in land or water within or beyond the city limits, including rights of way across utility rights of way not unreasonably impairing utility operation; does not require prior effort to purchase; authorizes condemnation by procedure in which--after appraisal by appraisers appointed by parties -- title to property vests in City upon adoption of final condemnation resolution by aldermen, subject to payment of compensation; thereafter either party may appeal to Superior Court for review of compensation issue and of any utility right-of-way condemnation issue; also authorizes condemnation before determination of compensation when, in judgment of aldermen, public interest requires immediate possession of property, but not of public utility-owned lands or interests).

H 693 Exempt Ed.Bd., Water-Air Act
Introducer: McDaniel

FORSYTH
Sent to LOC GOVT

"To exempt the Winston-Salem/Forsyth County Board of Education from the requirements of the Water and Air Resources Act." As title indicates, Board having directed efforts toward air pollution control program within limits of budgets and building plans.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 143 Obstructing highways (digested in Bulletin No. 24, p. 161; Senate amendment digested in Bulletin No. 35, p. 248)

Amendment adopted in House 4/12/71 changes punishment to \$200 or 30 days from \$500 or 30 days provided in previous Senate amendment.

S 189 Landscape architect corporations (digested in Bulletin No. 33, p. 229)
Technical amendment adopted in House 4/12/71.

S 214 Driver license revocation-patients (original bill digested in Bulletin No. 36, p. 254; Senate Committee Substitute digested in Bulletin No. 57, p. 415)
Amendment adopted in House 4/12/71 adds new section to bill amending GS 20-17.1 (a) to specify that duty of Comm'r of MV to suspend a mental incompetent's license applies only when the person has been involuntarily admitted as a patient.

S 247 Power of attorney, validity (original bill digested in Bulletin No. 40, p. 284; amendment adopted in Senate 3/17/71 digested in Bulletin No. 46, p. 332)
Amendment adopted in House 4/12/71 changes effective date from Oct. 1, 1971 to date of ratification.

HOUSE BILLS

None

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 39 PRESIDENTIAL PRIMARY ELECTION.(3/30, 4/08) H-REC FROM SENATE; H-REF TO COM ON ELECTION.
 S. 143 OBSTRUCTING HIGHWAYS.(3/02, 4/12) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
 S. 154 NOTARIES' ACTS VALIDATED.(4/06) H-PASSED 2ND & 3RD READING.
 S. 189 LANDSCAPE ARCHITECT CORPORATIONS.(4/12) H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING.
 S. 212 DIVORCE COMPLAINTS.(3/10, 4/06) H-FLOOR AMEND FAILED; H-PASSED 2ND READING.
 S. 214 DRIVER LICENSE REVOCATION-PATIENTS.(4/01, 4/12) H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING.
 S. 247 POWER OF ATTORNEY, VALIDITY.(3/17, 4/12) H-COM AMEND ADOPTED; H-PASSED 2ND READING.
 S. 345 (J.RES.) REQUESTING PARDON FOR CALLEY. S-RE-FEF COM ON VETERANS.
 #S. 415 (J.RES.) COMMEMORATING HALIFAX RESOLVES. S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PASSED 2ND & 3RD READING; RATIFIED RES. 45.
 H. 95 EMINENT DOMAIN JURY TRIALS. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
 H. 189 ESTATES-TRANSFER OF AUTOS.(3/04, 4/09) S-PASSED 2ND & 3RD READING.
 H. 305 UNIFORM DATE FOR CANDIDACY. S-PASSED 2ND & 3 READING.
 H. 326 SCHOOL ACCESS ROAD ACQUISITION. H-PASSED 3RD READING.
 H. 342 INCREASE LIMITS NO-BID CONTRACTS. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.
 H. 460 AID-TO-BLIND, INTERCOUNTY TRANSFER. S-PASSED 2ND & 3RD READING.
 H. 501 (H.RES.) RATIFYING 19TH AMENDMENT. S-REC FROM HOUSE; S-REF TO COM ON POLICIES.
 H. 574 (J.RES.) INTERNATIONAL TEXTILE TRADE. S-PASSED 2ND & 3RD READING.
 H. 654 (J.RES.) POW'S DAY OF PRAYER. S-REC FROM HOUSE; S-REF TO COM ON VETERANS.

LOCAL BILLS

- S. 176 (BRUNSWICK) OCEAN ISLE TAX LIMIT REPEAL. H-PASSED 3RD READING.

- S. 260 (LENOIR) KINSTON REALTY SALES.(3/30) H-PASSED 3RD READING.
- S. 340 (CHEROKEE) AUTHORIZING DEPUTY SHERIFFS. S-REPTD FAV AS AMENDED.
- S. 373 (NASH) NASHVILLE TOWN LIMITS. S-REPTD FAV.
- S. 378 (SURREY) TAX LISTING BY MAIL. S-REPTD FAV.
- S. 379 (HALIFAX) ROANOKE RAPIDS MANAGER ELECTION.(4/07, 4/09) S-REC TO CONCUR IN H AMEND; S-REF TO COM ON RULES; S-RECALLED FROM COM; S-CONCURRED IN H AMEND.

- H. 432 (ORANGE) COUNTY SCHOOL BOARD ELECTION.(4/09) S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
- H. 462 (ORANGE) CHAPEL HILL ASSESSMENTS.(4/09) H-PASSED 3RD READING.
- H. 490 (GUILFORD) COMMUNITY SERVICE FACILITIES. S-REPTD FAV.
- H. 518 (GUILFORD) AUTHORIZING FUND INVESTMENT. S-REPTD FAV.
- H. 520 (NEW HANOVER) BOARD OF EDUCATION-PAY. S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
- H. 525 (HARNETT) COATS ABC PROFITS ALLOCATION. S-REC FROM HOUSE; S-REF TO COM ON ABC.
- H. 536 (NEW HANOVER) CITY-COUNTY CONSOLIDATION VOTE.(4/09) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 539 (NORTHAMPTON) GARYSBURG-OFFICIALS & ELECTIONS. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 540 (BEAUFORT) WASHINGTON BICENTENNIAL FUNDS. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 565 (CARTERET) TRAPPING LAW. S-REC FROM HOUSE; S-REF TO COM ON WILDLIFE.
- H. 571 (NASH) NASHVILLE TOWN LIMITS. H-PASSED 3RD READING.
- H. 585 (ALAMANCE) BAIL BONDSMEN. H-PASSED 2ND & 3RD READING.
- H. 586 (ALAMANCE) HUNTING ON ROADS,HIWAYS. S-REC FROM HOUSE; S-REF TO COM ON WILDLIFE.
- H. 587 (STOKES) CORPORATE LIMITS-TOWN OF KING. H-PASSED 3RD READING.
- H. 592 (WILSON) AUTHORITY TO ORDER AUTOPSIES.(4/09) S-REC FROM HOUSE; S-REF TO COM ON PUB HLTH.

Next Sessions of Senate and House: 12 noon, Tuesday, April 13, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 65

-497-

TUESDAY, APRIL 13, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 422 Filling vacancies-county comm'rs (Iden. H 699)
Introducer: Norton

GS 153
Sent to JUDIC 2

"To provide for filling vacancies in boards of county commissioners when the members of the board fail to act." Identical with H 699, digested in the House section of today's Bulletin.

HOUSE

H 697 Indian health appropriation
Introducers: Messer and others

APPROPRIATION
Sent to APPROPRN

"To appropriate \$20,000 to the State Board of Health for the purpose of furnishing financial assistance to counties which provide health services to Indian residents of Federal reservations." Appropriates \$10,000 from General Fund for each fiscal year of 1971-73 biennium as title indicates. Effective July 1, 1971.

H 698 Burial assoc.-12 assessments
Introducer: Harris

GS 58
Sent to INSUR

"Requiring all mutual burial associations in the State to make twelve assessments per year on its members." Rewrites GS 58-237.1 to require every burial association to make 12 assessments, or their equivalent, per year per member, with Burial Comm'r having authority after a hearing to order any assoc. to make more than 12 assessments if needed to protect interest of members (now, assoc. required to have surplus of \$3 per member and Burial Comm'n can order assoc. to make up to 12 assessments per year if surplus falls below that average). Effective July 1, 1971.

H 699 Filling vacancies-county comm'rs (Iden. S 422)
Introducer: Beam

GS 153
Sent to JUDIC 2

"To provide for filling vacancies in boards of county commissioners when the members of the board fail to act." Adds to GS 153-6 provision that if remaining members of board fail to fill vacancy within 30 days of its occurrence, vacancy shall be reported by clerk of board to senior resident judge of county's Judicial District. Requires judge fill vacancy within 5 days of notice. Directs judge before making appointment to consult with county executive committee of appropriate political party, but does not bind judge to committee's recommendations. Effective upon ratification and applicable to any vacancies existing upon date of ratification.



H 700 Tort claims-local liability
Introducer: Arnold

GS 143
Sent to JUDIC 2

"Making the Tort Claims Act applicable to local governments." Amends GS 143-291, -291.1, -292, -293, -294, -295, -297, -299, and -299.1 to make the Tort Claims Act applicable to units of local government, which are defined to include the following: counties, cities, towns, incorporated villages, special districts, local boards-of-education, school administrative units, community colleges and technical institutes, local boards of alcoholic control, and all other dep'ts, bds., comm'ns, authorities, institutions, and agencies of local government. Makes units of local government liable for torts committed by employee while acting in scope of his office, with determination to be made by Industrial Comm'n and liability to be limited to \$15,000, and with provisions on costs, appeals, filing claims, limitation on claims, and raising defense of contributory negligence being same as now set out in Act for State agencies. Allows settlement of claims without formal hearing but subject to approval of Industrial Comm'n. Rewrites GS 143-300.1 to give AG duty to represent local school administrative units, community colleges, and technical institutes (now, local bds. only) on claims brought under act, and removes section's provision that the claims that can be brought against local school administrative units are those concerning negligent operation of school bus, and related procedures (those units now being fully governed by Tort Claims Act) but retains provisions allowing local units to draw requisition from State Bd. of Education to extent claim arose from activities financed by State. Effective July 1, 1972, and applicable only to claims arising on or after that date.

H 701 Taxation of banks-2
Introducer: Barker

GS 105
Sent to FINANCE

"To tax banks as other corporations." Repeals GS Ch. 105, Art. 8C, Schedule I-C ("Excise Tax on Banks," GS 105-228.11 through 105-228.21), and GS 105-228.23 and 105-228.24 ("Capital stock tax" and "Excise tax" sections of GS Ch. 105, Art. 8D, Schedule I-D, "Taxation of Building and Loan Associations and Savings and Loan Associations"). Deletes reference to banks in GS 105-125 (listing of organizations not subject to franchise tax on domestic and foreign corporations and new corporations). Deletes para. (3) of GS 105-130.7 (granting corporations right for purposes of corporate income tax calculation to deduct dividends received from stock in any bank or trust company). Amends GS 105-130.11, para. 2 by deleting reference to banks as organizations exempt from corporate income tax. Amends GS 105-147 by deleting reference to dividends from bank or trust company stock as deductible for purposes of computation of personal income tax. Amends GS 105-198 (State intangible personal property tax) by adding provision banks or banking associations, trust companies or any combination of same shall be subject to Article's (GS Ch. 105, Art. 7) provisions for taxable years beginning on or after Jan. 1, 1972; provides that Section 548, as amended, of Title 12 of the Code of Laws of the United States (directions to legislature of each State as to permissible forms of taxation of shares of national banking associations located within its limits) shall not prohibit application of this tax to national banks.

Effective as to taxable years beginning on and after Jan. 1, 1971. Provides banks, banking associations, trust companies and combinations of same that become subject to taxes levied upon tangible personal property by local taxing jurisdictions as a result of act to have 45 days after effective date of act to list tangible personal property with the local taxing jurisdiction. (See also H 108, digested in Bulletin No. 13, p. 84.)

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 696 Controlling swine BERTIE
Introducers: R. Jernigan and Martin (by request) Sent to AGRICULT

"Relating to the control of swine running at large in Bertie County." Prohibits persons from letting swine run at large. Requires persons to report to sheriff concerning such swine. Provides for public notice or notice to owners of such swine, for owner to have opportunity to retrieve such swine, or for subsequent destruction of such swine, under sheriff's supervision. Makes violation misdemeanor (\$25.00 - \$50.00 fine, and/or 30 - 60 days' imprisonment).

H 702 Ocean Isle ABC profits BRUNSWICK
Introducer: Harrelson Sent to ABC

"To amend Chapter 344 of the 1961 Session Laws relating to ABC profits in Ocean Isle Beach." Rewrites Ch. 344, SL 1961 to remove provisions that 10% of Ocean Isle Beach ABC profits go to Union High School of Shallotte and that 10% go to Shallotte High School, substituting provisions that 10% go to the high school serving residents of Ocean Isle Beach and that 10% be divided evenly between the elementary school and the junior high school serving residents of Ocean Isle Beach.

H 703 Long Beach ABC profits BRUNSWICK
Introducer: Harrelson Sent to LOC GOVT

"To amend Chapter 345 of the 1961 Session Law relating to the division of Long Beach ABC profits." Rewrites Sec. 6(b) and (e) of Ch. 345, SL 1961, to provide that 10% of profits of Long Beach ABC operations will go to high school and 10% to elementary and junior high school serving residents of Long Beach (now, 10% to Southport High School and 10% to Brunswick County Training School, under sections (b) and (e), respectively).

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 255 Continuing bail bonds (digested in Bulletin No. 41, p. 293)
Technical amendment adopted in House 4/13/71.

S 340 (Cherokee) Authorizing deputy sheriffs (digested in Bulletin No. 53, p. 385)
Amendment adopted in Senate 4/13/71 authorizes deputy sheriffs to be paid expenses of \$200 per month in addition to salary of \$400 per month set out in original bill.

HOUSE BILLS

H 228 Incorporating Woodfin (original bill digested in Bulletin No. 25, p. 166)
Amendments adopted in House 4/13/71 make following changes: (a) rewrites description of corporate boundaries of proposed town to end that boundaries not encroach on corporate limits of Asheville and to exempt certain property previously included as part of proposed town in original bill; (b) provides for special election, conducted by county bd. of elections, for purpose of submitting to the qualified voters of the area of proposed town question of whether or not area shall be incorporated and for further purpose of electing 7-member board of aldermen if incorporation approved; (c) sets forth procedures for special election, and for determining terms of aldermen; (d) makes technical changes in charter of proposed town, makes change in cycle of municipal elections, and provides that town attorney shall attend meetings of board of aldermen (when requested by board); and (e) provides for new method of choosing trustees for Woodfin Sanitary Water and Sewer District, in accordance with GS 130-126

(state-wide provisions for elections and terms of office of sanitary district boards).

H 284 Non-disclosure, tax information (digested in Bulletin No. 30, p. 205)

Amendments adopted in House 4/13/71 make clear that act does not prohibit examinations by the Comm'r of Revenue as authorized by GS 105-258 or modify authority concerning disclosure of information by the State Bd. of Assessment as authorized by GS 105-276(6).

H 303 Shoplifting arrest liability (original bill digested in Bulletin No. 31, p. 213; House amendments digested in Bulletin No. 55, p. 395, and Bulletin No. 56, p. 404)

Amendment adopted in Senate 4/13/71 specifies that arrest as well as detention is to be made in a reasonable manner.

H 448 Vital statistics changes (original bill digested in Bulletin No. 45, p. 325)

Amendment adopted in House 4/13/71 deletes repealer of GS 130-63(b) (which now requires State Registrar of Vital Statistics to prepare and send, within 90 days, to registers of deeds of county of residence copies of certificates of in-wedlock birth and death and fetal death where birth, death and fetal death occur in county other than county of residence) and rewrites GS 130-63(b) to provide that State Registrar shall, on monthly basis and upon request of register of deeds of any county, forward to such register list containing name and date of death of all residents of that county who have died outside the county during period of time covered by request.

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 39 PRESIDENTIAL PRIMARY ELECTION.(3/30, 4/08) H-REPTD FAV AS AMENDED; H-PLACED ON CAL FOR APR 14.
 S. 55 ADOPTIONS VENUE.(3/10, X/XX) H-REPTD FAV.
 S. 143 OBSTRUCTING HIGHWAYS.(3/02, 4/12) S-REC TO CONCUR IN H AMEND; S-PLACED ON CAL FOR APR 14.
 S. 154 NOTARIES' ACTS VALIDATED.(4/06) S-REC TO CONCUR IN COM SUB; S-PLACED ON CAL FOR APR 14.
 S. 189 LANDSCAPE ARCHITECT CORPORATIONS.(4/12) H-PASSED 3RD READING.
 S. 206 BOAT LIFESAVING DEVICE. S-REPTD FAV AS AMENDED.
 S. 208 BEAR KILLING PENALTY. S-REPTD FAV.
 S. 212 DIVORCE COMPLAINTS.(3/10, 4/06) H-PASSED 3RD READING.
 S. 214 DRIVER LICENSE REVOCATION-PATIENTS.(4/01, 4/12) H-PASSED 3RD READING.
 S. 222 UNC/REG. UNIV. BDS.-STUDENTS. S-REPTD FAV AS AMENDED.
 S. 236 SUSPENSION,10 MPH EXCESS SPEED.(3/11) H-REPTD FAV.
 S. 247 POWER OF ATTORNEY,VALIDITY.(3/17, 4/12) H-PASSED 3RD READING.
 S. 255 CONTINUING BAIL BONDS.(4/13) H-COM AMEND ADOPTED; H-PLACED ON CAL FOR APR 15.
 S. 329 BROADENING DMV AIRCRAFT USE. H-PASSED 2ND READING.
 S. 374 INCREASE BUILDING CODE COUNCIL. S-REPTD FAV.
 S. 380 LOCAL RETIREM'T SYSTEM ADMIN. S-REPTD FAV.
 S. 381 INCREASED LOCAL RETIREM'T BENEFITS. S-REPTD FAV.
 #H. 65 PRESIDENTIAL PRIMARY ELECTION. H-REPTD UNFAV.
 H. 189 ESTATES-TRANSFER OF AUTOS.(3/04, 4/09) H-REC TO CONCUR IN COM SUB; H-REF TO COM ON HY SAFTY.
 H. 284 NON-DISCLOSURE,TAX INFORMATION.(4/13, 4/13) H-COM AMEND ADOPTED; H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
 H. 303 SHOPLIFTING ARREST LIABILITY.(3/30, 3/31, 4/13) S-FLOOR AMEND ADOPTED; S-PASSED 2ND READING.
 #H. 305 UNIFORM DATE FOR CANDIDACY. RATIFIED CH. 189.
 H. 326 SCHOOL ACCESS ROAD ACQUISITION. S-REC FROM HOUSE; S-REF TO COM ON ROADS.
 H. 327 PAVING PUBLIC SCHOOL DRIVEWAYS. H-PASSED 2ND & 3RD READING.
 H. 382 TO PROVIDE STORAGE LIEN.(4/08) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
 H. 442 WORKING PRISONERS REPEALER. S-PASSED 2ND & 3RD READING.
 H. 448 VITAL STATISTICS CHANGES.(4/13) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.

- H. 449 SCHOOL BUS STOP CHANGES.(4/09) S-REC FROM HOUSE; S-REF TO COM ON HY SAFTY.
- #H. 460 AID-TO-BLIND,INTERCOUNTY TRANSFER. RATIFIED CH. 190.
- H. 461 MEDICAL CHEST IN MFG PLANT. H-REPTD FAV.
- #H. 463 IMMUNIZATION OF CHILDREN.(4/02) RATIFIED CH. 191.
- H. 489 REPEAL G.S. CHAPTER 3. S-REPTD FAV.
- H. 521 NAT'L GUARD-STATE DUTY-MIN. PAY.(4/09) S-REC FROM HOUSE; S-REF TO COM ON VETERANS.
- H. 538 DRIVER LICENSE REVOCATION-CHASES-2. H-REPTD FAV AS AMENDED.
- #H. 574 (J.RES.) INTERNATIONAL TEXTILE TRADE. RATIFIED RES. 46.
- H. 575 DOGS ON CAPITOL SQUARE. H-REPTD FAV.
- H. 576 ARMED GANG OF DETECTIVES. H-REPTD FAV.
- H. 577 ARREST OF TRAMPS. H-REPTD FAV.
- H. 578 INJURIES BY TRAMPS. H-REPTD FAV.
- H. 636 CHILD ADOPTION-MINOR STEPPARENT. H-REPTD FAV.

LOCAL BILLS

- #S. 176 (BRUNSWICK) OCEAN ISLE TAX LIMIT REPEAL. RATIFIED CH. 184.
- #S. 260 (LENOIR) KINSTON REALTY SALES.(3/30) RATIFIED CH. 185.
- #S. 305 (GUILFORD) COUNTY OFFICERS-BONDS. RATIFIED CH. 186.
- #S. 307 (GUILFORD) MORE BINGO PERMITTED. RATIFIED CH. 187.
- S. 340 (CHEROKEE) AUTHORIZING DEPUTY SHERIFFS.(4/13) S-COM AMEND ADOPTED; S-PASSED 2ND &3RD READING.
- S. 350 (SURRY) ABC ELECTION-ELKIN. S-REPTD FAV.
- S. 373 (NASH) NASHVILLE TOWN LIMITS. S-PASSED 2ND READING.
- S. 378 (SURRY) TAX LISTING BY MAIL. S-PASSED 2ND & 3RD READING.
- #S. 379 (HALIFAX) ROANOKE RAPIDS MANAGER ELECTION.(4/07, 4/09) RATIFIED CH. 188.
- S. 405 (ALAMANCE, PENDER) WOUND REPORTS BY HOSPITALS. S-REPTD FAV.
- H. 228 (BUNCOMBE) INCORPORATING WOODFIN.(4/13, 4/13) H-COM AMEND ADOPTED; H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING.
- H. 354 (WASHINGTON) PISTOL PERMITS. S-PASSED 2ND & 3RD READING.
- H. 462 (ORANGE) CHAPEL HILL ASSESSMENTS.(4/09) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 490 (GUILFORD) COMMUNITY SERVICE FACILITIES. S-PASSED 2ND & 3RD READING.
- H. 495 (IREDELL) DEFRAUDING AMBULANCE SERVICE. S-REPTD FAV.
- H. 518 (GUILFORD) AUTHORIZING FUND INVESTMENT. S-PASSED 2ND & 3RD READING.
- H. 525 (HARNETT) COATS ABC PROFITS ALLOCATION. S-REPTD FAV.
- H. 571 (NASH) NASHVILLE TOWN LIMITS. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 585 (ALAMANCE) BAIL BONDSMEN. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 587 (STOKES) CORPORATE LIMITS-TOWN OF KING. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

Next Sessions of Senate and House: 12 noon, Wednesday, April 14, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 66

-503-

WEDNESDAY, APRIL 14, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 424 Judicial Department changes (Iden. H 714) GS 1,3,5,8,8A,11,13
Introducers: Bailey and Harrington Sent to COURTS

"To make certain technical and editorial amendments to Chapters 1, 3, 5, 8, 8A, 9, 11, and 13 of the General Statutes required by the Judicial Department Act of 1965, as amended." Identical with H 714, digested in the House section of today's Bulletin.

S 426 Tidewater Research Sta. funds APPROPRIATION, GS 106
Introducers: Wood and Harrington Sent to APPROPRN

"Appropriating funds to the North Carolina Department of Agriculture for capital improvements in the Tidewater Research Station." Appropriates \$137,700 out of General Fund to Department of Agriculture to expand existing livestock facilities at the Tidewater Research Station. Effective July 1, 1971.

S 428 Visual environment controls (Iden. H 706) GS 14,20,160
Introducer: Harrington and others Sent to ROADS

"Relating to community appearance commissions, the littering of State-owned lands and highways, and the disposal of junk vehicles." (1) Adds new Art. 14B to GS Ch. 160 (with directions for renumbering if Ch. 160 recodification is enacted), authorizing any municipality to create an Appearance or Beautification Commission. Provides for composition (7-15 members) and qualifications of Commission, and authorizes advisory council to Comm'n. Empowers Comm'n to study visual problems and characteristics, prepare plans for improved community appearance, act in a coordinating and promotional role, receive and expend funds, and participate in implementation of its plans as the municipal governing body deems appropriate (e.g., making recommendations on public project plans, recommending ordinances, seeking voluntary compliance with standards, holding hearings, and entering private lands to make examinations and surveys). (2) Effective Sept. 1, 1971 amends GS 14-99 (as amended by SL 1971, Ch. 165) to make littering prohibitions applicable to State-owned land in addition to (as now) State highways. (3) Amends GS 20-61 and 20-62 to delete references to "junked vehicles," leaving provisions concerning cancellation of vehicle title applicable to dismantled vehicles. Adds GS 20-61.1, to require owner dismantling vehicle to store or park it inside building or (subject to specified safety precautions) within a fenced enclosure. Adds GS 20-62.1, to specify conditions for sale of vehicles as scrap metal, including authorization for removal of old vehicles not currently licensed to a scrap processing yard without regard to motor vehicle laws. Requires person so removing a vehicle to furnish Dep't of Motor Vehicles with his identity, vehicle description, and certification that vehicle is to be scrapped.



S 429 Fire light-deer hunting penalty
Introducer: Harrington

GS 113
Sent to WILDLIFE

"To alter the punishment for hunting deer at night with the use of lights."
Amends GS 113-109(b) to make penalty for firelighting deer a fine of not more than \$250, imprisonment for not more than 60 days, or both (now, fine of not less than \$250 or imprisonment for not less than 90 days).

S 430 O'Berry-Cherry funds (Iden. H 711)
Introducer: Strickland

APPROPRIATION, GS 122
Sent to APPROPN

"To appropriate certain funds to Cherry Hospital and O'Berry Center for the purpose of improving direct patient care at these institutions." Identical with H 711, digested in the House section of today's Bulletin.

S 431 Coastal protection, beach erosion (Iden. H 705)
Introducers: Allen and others

GS 104B,113,143,153,160
Sent to CONS&DEV

"To provide for the control of beach erosion and for the protection and conservation of coastal areas, sand dunes and estuarine areas." Adds new Part 7 to GS Ch. 143, Art. 21 establishing Hurricane Flood Protection and Beach Erosion Control Revolving Fund (to consist of moneys appropriated by General Assembly or from other sources), from which advances may be made by NC Bd. of Water and Air Resources to any county or municipality for advance planning and engineering work, project construction, and project maintenance in connection with hurricane flood protection and beach erosion control projects. Spells out conditions upon which advances may be made, and makes advances subject to repayment from bond proceeds or other available funds, except when Dep't of Water and Air Resources judges project not feasible. Amends GS 160-200 and 153-9(56) to authorize coastal municipalities and counties to levy taxes and appropriate tax or non-tax funds for beach erosion control and hurricane flood protection projects. Specifies such county expenditures are for special purposes and necessary expenses.

Amends GS 104B-15 and adds new 104B-16 authorizing NC Bd. of Water and Air Resources to exercise sand dune protection powers of counties under GS Ch. 104B, Art. 3 in any county that has not adopted regulations and appointed shoreline protection officer by Dec. 31, 1971. Spells out procedural details for exercise of powers by Board, and makes State powers exclusive (as to any county affected) until Board's action rescinded.

Amends estuarine dredge and fill permit law (GS 113-229) as follows: (a) Specifies that State permit does not relieve any party of need to obtain Federal permit. (b) Restates factors listed in GS 113-229(e) as grounds for denial of permit, rather than as (now) only factors to consider. (c) Empowers any State agency, as well as (now) permit applicant, to appeal to superior court from action of interagency review board on permit application. (d) Adds provision that granting of permit does not preclude objection based on omission to notify riparian landowners. (e) Specifies that violations of Section are misdemeanors, punishable by maximum \$500 fine and/or 90 days' imprisonment, and that each day's violation after notice is separate offense (now, merely provides that violations are misdemeanors). (f) Adds, as additional basis for injunction, to prevent damage to property held in public trust. (g) Specifies that Section applies to employees, agents and contractors of persons covered by Section. (h) Elaborates definition of "estuarine waters" as meaning all ocean waters with NC boundary and all waters of bays, sounds and rivers seaward of (dividing line between coastal and inland fishing waters). (i) Makes clarifying changes in definition of "marshland," and adds provision that marshland includes areas that grow some but not all of specified salt marsh and marsh plant species (saltwater cordgrass, salt grass, black needlerush, etc.).

Adds new GS 113-230 to authorize Director of C & D with approval of C & D Board to adopt orders regulating or prohibiting the altering or polluting of coastal wetlands, after notice and hearing, with copies of orders to be recorded and mailed to affected landowners. Makes violations enjoined and subject to misdemeanor penalty (maximum \$500 and/or 6 months). Provides opportunity for landowner to litigate (within 90 days after receipt of notice of order) the question whether the order amounts to a taking of his property without compensation; if court finds that order does so affect his property, order shall not apply to his land, but Dep't of Admin. on request of C & D Board may condemn such land under provisions of GS Ch. 146. Effective July 1, 1971.

S 432 Water-air management, controls (Iden. H 720)

GS 113, 130,
143, 162A

Introducers: Allen and others

Sent to CONS&DEV

"To provide for the control of water and air pollution and the management and conservation of water resources." Identical with H 720, digested in the House section of today's Bulletin.

S 433 Elections, primaries voting hours

GS 163

Introducer: Burney

Sent to POLICIES

"Concerning hours of primaries and elections." Amends GS 163-2 to provide that in all elections polls to be open from 6:30 AM to 7:30 PM, with county board of elections empowered to authorize their remaining open until 8:30 PM where voting machines used (now, 6:30 AM-6:30 PM, or 7:30 PM at places with voting machines).

S 434 Mining Act funds

APPROPRIATION, GS 74

Introducers: Folger and others

Sent to APPROPN

"To appropriate funds to the Department of Conservation and Development to implement the Mining Act of 1971." Appropriates from General Fund as title indicates \$31,629 for fiscal 1971-72 and \$30,443 for fiscal 1972-73. Effective July 1, 1971.

S 435 Blandwood restoration funds

APPROPRIATION

Introducers: Bowles and McLendon

Sent to APPROPN

"To appropriate funds to assist in the restoration of 'Blandwood' in Greensboro." Appropriates from General Fund to State Department of Archives and History for 1971-73 biennium \$73,000 to assist in completing restoration of "Blandwood" in Greensboro (former home of Gov. Morehead). Effective July 1, 1971.

HOUSE

H 704 (Joint Resolution) Honoring "Good News Singers"

Introducers: Falls and others

MISC RES

Passed three
readings and sent
to Senate

"Recognizing the Good News Singers of America." As title indicates.

H 705 Coastal protection, beach erosion (Iden. S 431)

GS 104B, 113, 143,
153, 160

Introducers: Roberson and others

Sent to CONS&DEV

"To provide for the control of beach erosion and for the protection and conservation of coastal areas, sand dunes and estuarine areas." Identical with S 431, digested in the Senate section of today's Bulletin.

H 706 Visual environmental controls (Iden. S 428) GS 14,20,160
Introducers: Roberson and others Sent to CONS&DEV

"Relating to community appearance commissions, the littering of State-owned lands and highways, and the disposal of junk vehicles." Identical with S 428, digested in the Senate section of today's Bulletin.

H 707 (Joint Resolution) Memorializing Hoyle MISC RES
Introducers: Short and others Passed three readings
and sent to Senate

"Honoring the memory and accomplishments of Thomas Crawford Hoyle, Jr., a former member of the House of Representatives." As title indicates.

H 708 Soil-Water Conservation Comm. GS 139
Introducer: Green Sent to AGRICULT

"To provide for members of the State Soil and Water Conservation Committee."
Amends GS 139-4(a) to make following changes in membership of State Soil and Water Conservation Committee: (1) Adds three supervisor members (with staggered terms) elected by NC Association of Soil and Water Conservation Districts from its own membership representing three major geographical regions of State, such elections to be held during annual meeting of Association. Provides vacancies arising in these positions to be filled through appointment by Executive Committee of NC Association of Soil and Water Conservation Districts. (2) Makes Director of State Agricultural Extension Service, Director of State Agricultural Experiment Station, and the State Forester advisory non-voting members of the Committee (now, are voting members). Effective January 1, 1972.

H 709 Coastal fisheries assessments GS 113
Introducer: Bright Sent to COM FISH

"To amend Chapter 890 of the 1967 Session Laws of North Carolina to include therein the authority for the certified agency to collect an assessment by court action." Adds new sentence to Sec. 16, Ch. 890, SL 1967 authorizing the certified coastal fisheries agency collecting assessment from that industry to bring suit in appropriate court to collect assessment remaining unpaid 30 days after due. Effective July 1, 1971.

H 711 O'Berry-Cherry funds (Iden. S 430) APPROPRIATION, GS 122
Introducer: Chase and Kemp Sent to APPROPN

"To appropriate certain funds to Cherry Hospital and O'Berry Center for the purposes of improving direct patient care at these institutions." Appropriates \$1,065,960 for 1971-73 biennium as title indicates, the total appropriation being fairly evenly divided between salaries and wages and accompanying contributions for each facility (for 6 nurses and 40 attendants at Cherry, and 10 nurses and 35 attendants at O'Berry). Effective July 1, 1971.

H 712 Estimate corporate tax payments GS 105
Introducer: High Sent to FINANCE

"To require corporations to make declarations of estimated income tax and installment payments of estimated income tax." Amends portions of GS 105 (taxation) to make changes in present laws requiring corporations to file declarations of estimated income taxes and make installment payments of those estimated taxes, by amending GS 105-130.19 and rewriting portion Art. 4B of Ch. 105.

Amends GS 105-130.19 by deleting GS 105-130.19 (b) and (c) which provide for installment payments or deferred payments of estimated taxes.

Rewrites portions of Art. 4B, GS Ch. 105 (filing of declarations of estimated income tax and installment payments of estimated income tax by corporations), so as, generally, to require more frequent payment of estimated taxes and to delete provisions exempting corporations from payment of estimated if tax is under certain amount. Specifically, amends GS 105-163.25(5) by deleting from definition of "estimated tax" the provision that the estimated tax means the excess of amount by which corporation estimates as the amount of the income tax imposed by GS Ch. 105, Art. 4 "over sum of \$100,000" (deletes quoted language).

Rewrites GS 105-163.26(a) to require corporations, beginning for taxable years commencing on or after December 24, 1971 (now, January 1, 1960) to make declaration of estimated tax if income tax can reasonably be expected to be or exceed \$40.00 (now, if tax reduced by credits can reasonably be expected to exceed \$100,000.00).

Rewrites GS 105-163.27 to provide for different times for filing declarations of estimated tax and for paying installments of the tax, the installments (based on a percentage of the total estimated tax) increasing as the taxpayer becomes aware that estimated tax is due under law and as the taxable year moves towards its conclusion (e.g., if, during 1st quarter, taxpayer becomes aware that estimated tax is due for that year, he shall pay installments of 25% of total estimated tax on quarterly basis, but if, during 3rd quarter, he becomes aware that estimated tax is due, he pays installment of 50% of total estimated on semi-annual basis), the effect being to require that a larger percentage of the estimate be paid earlier in each taxable year than under present law. Adds provision allowing for filing of new estimates and adjustment of installment amounts due under new estimates. Deletes all of present GS 105-163.28 (now, permits installment payments of estimated income tax). Amends present GS 105-163.30 (b)(1) (renumbered) to define "underpayment" as the excess of the amount of the installment which would be required to be paid if the estimated tax were equal to 80% (now, 70%) of the tax shown on the return, or, if no return filed, 80% (now, 70%) over the amount, if any, of the installment paid on or before last day set for payment. Amends present GS 105-163.30(c)(2)(renumbered) to make conforming change with respect to how to compute underpayment, based on times when installments due. Amends present GS 105-163.30 (d) and (e) relating to penalties for failure to pay estimated tax, so as to generally conform its provisions to other provisions of bill. Specifically authorizes Comm'r to adopt IRS regulations not contrary to Article.

Makes Section 1 (amending GS 105-163.19) effective with respect to taxable year ending after November 30, 1971; and Section 2 (rewriting portions of Art. 4B, GS Ch. 105) effective with respect to taxable years beginning on and after January 1, 1972.

H 713 (Joint Resolution) Memorializing Caffey
Introducers: Short and others

MISC RES
Passed three readings and
sent to Senate

"Honoring the life, memory and achievements of John W. Caffey, Sr., a former member of the House of Representatives." As title indicates.

H 714 Judicial Department changes (Iden. S 424)
Introducers: Short and others

GS 1,3,5,8,8A,11,13
Sent to COURTS

"To make certain technical and editorial amendments to Chapters 1,3,5,8,8A, 9,11, and 13 of the General Statutes required by the Judicial Department Act of 1965, as amended." Amends various GS sections dealing with courts--namely, GS 3-1, 3-8, 5-6, 5-8, 8-55, 8-59, 8-74, 8-83(10), 11-12, and 11-7.1(a)--by deleting obsolete references to justices of peace, constables, mayor's courts, and clerks of courts other than superior court, and by substituting where appropriate reference to proper judicial official of General Court of Justice. Substitutes General Court's terminology of appellate division and trial division for former limited references to Supreme Court and superior court in some of same sections listed above. Rewrites

GS 8-5 to delete its references to mayor's court, but retains provision that copy of town ordinance certified by mayor shall be prima facie evidence of existence of ordinance. Amends GS 8A-1 to have State rather than county pay for costs of interpreter for deaf parties in criminal cases and commitment proceedings. Deletes oaths for constable and justice of the peace from those listed in GS 11-11. Amends various sections of GS Ch. 1, 8 and 13 to replace terminology "terms of court" with "session of court". Repeals GS 8-75 concerning depositions in civil actions before justice of peace. Effective Oct. 1, 1971.

H 715 (Joint Resolution) LRC mental hospitals study STUDY, GS 122
Introducers: Chase and Kemp Sent to HEALTH

"Authorizing and directing the Legislative Research Commission to study the area unit concept of treatment of the mentally ill in the State mental hospitals." As title indicates, directs LRC to study "area program" treatment concept as implemented by Dep't of MH and to report findings and recommendations to 1973 Gen'l Assembly.

H 717 No driving after drinking GS 20
Introducer: M. Smith Sent to HY SAFTY

"To amend Chapter 20 of the General Statutes to create an offense of drinking and driving and provide a six month revocation of driving privilege upon conviction." Adds new GS 20-139.2 making it unlawful for any person to drive or be in physical control of any vehicle upon the highways within this State while such person's ability to drive or operate such vehicle is impaired by presence of alcohol in his blood. Creates presumption driving ability impaired when chemical analysis of breath or blood of accused is as much as 0.05 but less than 0.10 by weight. Provides in prosecutions under GS 20-138 (driving under influence) the offense charged is deemed to include offense punishable under proposed GS 20-139.2. Provides offense punishable by fine of \$50-\$250 or 15 days'-3 months' imprisonment or both. Amends GS 20-17 ("Mandatory revocation of license by Department") to add new GS 20-17 (9) to provide mandatory 6-month license revocation of proposed GS 20-139.2. Effective September 1, 1971.

H 718 Gifts to Wildlife Commission GS 143
Introducers: Bumgardner and others Sent to WILDLIFE

"Authorizing the Wildlife Resources Commission to accept contributions for wildlife conservation and management." Adds new GS 143-247.1 authorizing Wildlife Resources Comm'n to accept gifts, donations, or contributions from any source, those gifts to be held in a separate account and used solely for wildlife conservation and management.

H 720 Water-air management, controls (Iden. S 432)
Introducers: Bryan and others

GS 113,130,143,162A
Sent to WATER

"To provide for the control of water and air pollution and the management and conservation of water resources." Provides authorization for a natural and scenic rivers system, floodway regulation by local governments with State support, regional sewage disposal planning, water and air pollution reports and monitoring, septic tank regulation, watercraft waste disposal, motor vehicle emission control standards and testing, and miscellaneous procedural changes in the Water and Air Resources Act.

Natural and scenic rivers: Adds new Art. 29 to GS Ch. 113, instituting NC Natural and Scenic Rivers System to be administered by Dep't of Conservation and Development (C & D), and to consist of "natural river areas" (free-flowing unpolluted rivers in a natural condition, free of man-made impoundments and generally inaccessible except by trail) and "scenic river areas" (largely free of impoundments, lands largely undeveloped but accessible in places by roads). Prescribes criteria for inclusion of any river or segment in system, as to segment length, boundaries, water quality and flow, and limited public access. Empowers Dep't of C & D to accept federal grants, study and propose to Governor and Assembly additions to system, establish reasonable regulations to carry out Article, reclassify scenic rivers as natural river areas, and acquire land within System by donation, purchase, exchange or eminent domain pursuant to GS Ch. 40, Art. 2. Provides that donation of scenic easement to State shall be deemed a "contribution" to State within meaning of GS 105-130.9 and 105-147(16) (items deductible from corporate and individual income tax). Prescribes civil remedies (injunction, mandamus or other remedies) and criminal penalties (misdemeanor, maximum \$50 fine) for violations of Article or regulations. Authorizes Dep't of Administration to advance from land-purchase appropriations sums to purchase land where U.S. Bureau of Outdoor Recreation will later reimburse. Designates following initial components of System: Black River and its tributaries to the Cape Fear (as natural river areas, except segments 1/2 mile above and below bridges as scenic areas); Cape Fear River, 9 mi., from Buckhorn Dam to lower boundary of Raven Rock Park (natural river); Fishing Creek, 25-1/2 miles dividing Halifax and Nash Counties, from NC Hy. 561 bridge to Fishing Creek Mill Dam (as natural river, except 1/2 mile above and below bridges or scenic river); Green River from Lake Summit Dam downstream to Lake Adger (as scenic river, except segment from Hungry R. to island 1.3 miles upstream from SR 1151 bridge as natural river); Linville River, approx. 15 mi. from Blue Ridge Parkway Bridge to US Forest Service Class A corner 1-1/2 mi. upstream from NC Hy. 126 (as natural river, except segment from Parkway Bridge to Linville Falls as scenic river).

Floodway regulation: Prohibits placement of artificial obstructions in floodway of any "stream" (defined as a watercourse that collects surface runoff from area of one mile or greater, but not including flooding due to tidal or storm surge in estuarine or ocean waters), after floodway has been delineated by local governing body, unless a permit obtained from the responsible local government (a county or municipality). Defines "floodway" as that portion of channel and flood plain needed to pass 100-year flood without increasing flood elevation by more than one foot. Provides following uses may be made as a matter of right: agricultural & wildlife; recreational; heliports, loading and parking areas; utilities, bridges, streets, drainage facilities, sewage plant outlets and water intakes; temporary facilities, such as travelling shows; docks, ramps, piers; and dams. Does not affect existing obstructions, but they may not be enlarged or replaced without permit. Authorizes counties and municipalities to acquire existing artificial obstructions by condemnation (GS Ch. 40) or otherwise, if necessary to avoid flood damage. Spells out procedures for delineating floodways and issuing permits; provides for local governments to proceed under Article as in the case of an ordinance for better government of county or municipality, and provides for meshing of municipal and county territorial jurisdiction generally as in the case of zoning ordinances.

Empowers State Board of Water & Air Resources to furnish technical assistance and to adopt interpretive regulations. Provides for injunctive and criminal (misdemeanor) remedies for violations of Article and of ordinances adopted thereunder, with continuing violations for each ten days of failure to remove obstructions after notice. Article does not preclude other authorized flood plain management measures.

Regional sewage disposal planning: Adds new Article to GS Ch. 162A, entitled "Regional Sewage Disposal Planning", which -- (a) directs NC Board of Water & Air Resources (BWAR) to provide framework for regional sewage disposal planning and to coordinate, assist and review local actions; (b) creates revolving fund for regional water supply planning (to be administered by Department of Administration, with findings by DWAR as to eligibility of localities for advances) from which advances could be made to any local government to finance advance planning and engineering cost for preparation of comprehensive regional sewage disposal plans, subject to repayment from system bonds or other available funds, but to be forgiven if development proves infeasible.

Specifies as conditions of eligibility for advances: (a) area is suitable for regionalization in terms of population, sewage sources, etc.; (b) applicant proposes long range regional comprehensive planning effort and coordination with land use planning; (c) licensed engineer will be employed to prepare plans, which will include benefit-cost analysis as well as necessary background information and blueprints; (d) firm assurance that work will be undertaken if feasible; (e) reasonable prospect of availability of federal or state aid if project depends on it. Defines "regional sewage disposal system" as a public sewage disposal system of a municipality, county, sanitary district or other political subdivision, providing or intended to provide or capable of providing, adequate sewage collection and treatment and disposal to a substantial portion of population of a county, or a multi-county region, or a metropolitan area in two or more counties. Act to be construed as supplemental to existing powers of SBH, BWAR and NC Utilities Comm'n concerning local and regional sewage disposal.

Water and air quality reporting: Adds new part 8 to GS Ch. 143, Art. 21 requiring all persons discharging wastes to waters or emitting air contaminants to file monthly reports with BWAR, or other periodic reports required by BWAR, containing such information as may be specified by BWAR, to be used for purposes of air and water pollution control only; and to establish and maintain adequate water and air quality monitoring systems and report thereon to BWAR. Prohibits discharge of wastes or contaminants in excess of capacity of (or untreatable by) any waste disposal system or air cleaning device. Makes violations of Part misdemeanors, punishable by \$100 to \$1,000 penalty for each violation, and each day of noncompliance after notification by Board is separate offense.

Septic tanks: Adds new GS 130-161.2 requiring every separate residence served by septic tank system to be served by individual tank on a lot of sufficient size suitable for septic tank, unless served by approved community type system. Specifies minimum lot size as 40,000 square feet, except that State Health Director may reduce size to not less than 15,000 where lot is served by approved public or community water system and soil has high absorptive capacity as indicated by tested percolation rates of two minutes or less; authorizes Director to increase lot sizes under specified circumstances to protect public health. Section does not apply to lots registered prior to effective date of act by deed or subdivision plot with register of deeds, nor to septic tank systems installed prior to effective date of act.

Watercraft wastes: Adds GS 75A-6.1 to provide for adoption by State of federal standards of performance and regulations for marine sanitation devices when federal standards are promulgated, as directed by Federal Water Quality Act of 1970. Requires vessels equipped with marine toilets to provide sewage treatment device as prescribed by federal standards, while operating on waters of NC.

Effective date of GS 75A-6.1 to coincide with effective date of federal standards.

Miscellaneous: Adds to GS 143-213 new definitions of "discharge" and "toxic materials", and rewrites definition of "other wastes" (so as to add specific reference to petroleum products and byproducts, radioactive material, pesticides, metals and other toxic materials, animal carcasses and wastes, fertilizers, and garbage and other refuse.) Adds to GS 143-215(a) provision authorizing BWAR to adopt, when necessary and practical, and enforce emission control standards for motor vehicle engines manufactured pre-1968, and to establish a program for testing vehicle engine emissions irrespective of year of manufacture. Adds to GS 143-215.1(a) a prohibition against discharging wastes to or intermixed with waters of NC in violation of water quality standards, unless allowed by special order. Moves GS 143-215.4(a)(10) to 143-214(k) and adds authority for BWAR to take judicial notice of studies and reports of this State. Rewrites GS 143-215.8 to enlarge circumstances in which injunctive relief may be sought to include cases where there is reasonable cause to believe there is a violation or threatened violation of Act or regulations; to provide that action for injunction may be brought in Superior Court of Wake County or (in discretion of Director or Assistant Director) of any county in which any other action for said violation might have been brought; and to add that, upon determination by court violation occurred or is threatened, court shall grant relief sought.

LOCAL BILLS INTRODUCED

SENATE

S 423 Cornelius charter revision
Introducers: Knox, Baugh and Moore

MECKLENBURG
Sent to LOC GOVT

"To revise and consolidate the Charter of the Town of Cornelius." Sets forth corporate boundaries. Provides for board of commissioners consisting of five members, elected at large, and Mayor (elected by voters). Provides for mayor and commissioners to serve terms of two years, and for procedures and compensation of board. Sets forth procedures for holding municipal elections. Specifies duties of town officials (attorney, clerk and treasurer, and accountant) and authorizes board to change functions. Provides for custody of town money, independent audits, and method for disposal of surplus property. Sets forth provisions concerning appointment, qualifications, compensation and jurisdiction of town police. Sets out regulatory powers (subdivision and codes) and tax powers (license and franchise taxes). Provides for operation of municipally owned utilities. Specifies method of asserting and handling tort claims against town.

S 425 Sheriff salary
Introducers: Deane and Saunders

RICHMOND
Sent to LOC GOVT

"Relating to the compensation of the Sheriff of Richmond County." Grants Sheriff 11% increase over present salary, beginning July 1, 1971, and a second 11% increase over present salary, beginning July 1, 1972.

S 427 Clinton firemen's retirement
Introducer: Warren

SAMPSON
Sent to LOC GOVT

"To amend Section 3(a) of Chapter 177 of the 1969 Session Laws of North Carolina to increase supplemental retirement benefits for retired firemen in the City of Clinton." Raises from \$300 to \$600 maximum annual supplemental retirement benefit payable to Clinton fireman who retires after age 60 with 20 years service.

HOUSE

H 710 No raccoon hunting
Introducer: Lilley

GREENE
Sent to WILDLIFE

"To prohibit the hunting at any time of raccoon in Greene County." Makes it unlawful to trap or attempt to trap raccoon in Greene County at any time, and provides penalty of fine up to \$100, imprisonment up to 30 days, or both.

H 716 Municipal ABC profits
Introducers: Speros, McFadyen, Odom,
J. J. Johnson

ROBESON
Sent to LOC GOVT

"To amend Chapter 405 of the 1967 Session Laws relating to the allocation of net proceeds from the municipal liquor control stores in incorporated municipalities in Robeson County." Rewrites Sec. 6 of indicated chapter to have 65% of net profits from each municipal ABC store in Robeson County paid to the municipality's general fund, and 35% paid to the general fund of the county (now, 5% for municipal law enforcement, 45% to municipal general fund, and 50% to County general fund). Adds new provision requiring distribution to be made within 45 days after quarterly audit. Effective July 1, 1971.

H 719 Chamber of Commerce dues
Introducer: Leatherman

LINCOLN
Sent to LOC GOVT

"To amend Chapter 758 of the 1969 Session Laws relating to payment of annual dues to the Lincolnton-Lincoln County Chamber of Commerce." Amends Chapter 758 of 1969 SL to empower Lincoln Board of County Commissioners to pay to Lincolnton-Lincoln County Chamber of Commerce such amounts as are approved "in their sound discretion" (now, limit of \$1,000 per annum).

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 39 Presidential primary election (original bill digested in Bulletin No. 8, p. 47; committee substitute digested in Bulletin No. 55, p. 394; previous amendments adopted by Senate digested in Bulletin No. 62, p. 472).

Six amendments adopted in House 4/14/71, of two types: four make technical changes only; one other changes filing fee for Presidential primary candidate to \$1,000 from 1% of annual salary of President, and still another rewrites provisions with respect to number of votes to be cast for candidates participating in primary to provide that the four candidates receiving the highest number of votes, or all candidates if there are fewer than four, provided each candidate receives at least 15% (originally, 10%) of the total vote cast by political party, shall be awarded pro-rata portion of authorized delegate vote of the party, according to formula set out in bill.

HOUSE BILLS

H 303 Shoplifting arrest liability (Iden. S 175, digested in Bulletin No. 31, p. 209; amendments adopted in House 3/30/71 and 3/31/71 digested in Bulletin No. 55, p. 395 and Bulletin No. 56, p. 404; amendment adopted in Senate 4/13/71 digested in Bulletin No. 65, p. 500).

Amended in Sen. 4/14/71 to strike provision act not to affect pending litigation; to make act effective 7/31/71; and to strike listing of specific offenses for which merchant or peace officer not civilly liable, leaving provision that not civilly liable if detention in reasonable manner, for reasonable time, and with probable cause.

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 23 SAFE DRIVERS' LICENSE RENEWAL. S-RE-REF COM ON HY SAFTY.
 S. 39 PRESIDENTIAL PRIMARY ELECTION.(3/30, 4/08, 4/14, 4/14) H-COM AMENDS ADOPTED; H-FLOOR AMENDS ADOPTED; H-PASSED 2ND READING.
 S. 178 FLAG DESECRATION. S-REPTD FAV AS AMENDED.
 S. 189 LANDSCAPE ARCHITECT CORPORATIONS.(4/12) S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.
 S. 212 DIVORCE COMPLAINTS.(3/10, 4/06) S-REC TO CONCUR IN COM SUB; S-PLACED ON CAL FOR APR 15.
 S. 213 TECHNICAL CHANGES-COURTS.(4/02) H-REPTD FAV AS AMENDED.
 S. 214 DRIVER LICENSE REVOCATION-PATIENTS.(4/01, 4/12) S-REC TO CONCUR IN H AMEND; S-PLACED ON CAL FOR APR 15.
 S. 247 POWER OF ATTORNEY, VALIDITY.(3/17, 4/12) S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.
 S. 329 BROADENING DMV AIRCRAFT USE. H-PASSED 3RD READING.
 S. 383 AUTISTIC CHILDREN-TRAINING. S-REPTD FAV; S-RE-REF COM ON APPROPN.
 S. 406 TAX REFUNDS TO CHARITABLE GROUPS. S-REPTD FAV.
 H. 2 18 YEAR OLD VOTE-1.(3/16) S-PASSED 2ND READING.
 H. 52 NAVIGABLE WATERS GRANTS.(4/14) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
 H. 121 NEW ELECTION TIE-BREAKER.(3/19) S-REPTD FAV AS AMENDED.
 H. 284 NON-DISCLOSURE, TAX INFORMATION.(4/13, 4/13) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
 H. 303 SHOPLIFTING ARREST LIABILITY.(3/30, 3/31, 4/13, 4/14) S-FLOOR AMENDS ADOPTED; S-PASSED 3RD READING.
 H. 327 PAVING PUBLIC SCHOOL DRIVEWAYS. S-REC FROM HOUSE; S-REF TO COM ON ROADS.
 #H. 442 WORKING PRISONERS REPEALER. RATIFIED CH. 193.
 H. 461 MEDICAL CHEST IN MFG PLANT. H-PASSED 2ND & 3RD READING.
 H. 521 NAT'L GUARD-STATE DUTY-MIN. PAY.(4/09) S-REPTD FAV.
 H. 556 SMALL BUSINESS MANAGEMENT PROGRAM. H-REPTD FAV; H-RE-REF TO COM APPROPN.
 H. 561 (J.RES.) MECKLENBURG SCHOOL CASE.(4/06) H-REPTD FAV AS AMENDED.
 H. 566 INTER-AMERICAN AND ASIAN DEV. BANKS. H-REPTD FAV.
 H. 695 (J.RES.) ALAMANCE 'REGULATORS'. S-REPTD FAV.
 H. 704 (J.RES.) HONORING 'GOOD NEWS SINGERS'. H-PASSED 2ND & 3RD READING.

- H. 707 (J.RES.) MEMORIALIZING HOYLE. H-PASSED 2ND & 3RD READING.
H. 713 (J.RES.) MEMORIALIZING CAFFEY. H-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 340 (CHEROKEE) AUTHORIZING DEPUTY SHERIFFS.(4/13) H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.
S. 350 (SURRY) ABC ELECTION-ELKIN. S-PASSED 2ND & 3RD READING.
S. 373 (NASH) NASHVILLE TOWN LIMITS. S-PLACED ON CAL FOR APR 19.
S. 378 (SURRY) TAX LISTING BY MAIL. H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.
S. 401 (HALIFAX) ROANOKE RAPIDS SCHOOL TAX. S-REPTD FAV.
S. 405 (ALAMANCE, PENDER) WOUND REPORTS BY HOSPITALS. S-PASSED 2ND & 3RD READING.

H. 228 (BUNCOMBE) INCORPORATING WOODFIN.(4/13, 4/13) H-PASSED 3RD READING.
#H. 354 (WASHINGTON) PISTOL PERMITS. RATIFIED CH. 192.
#H. 490 (GUILFORD) COMMUNITY SERVICE FACILITIES. RATIFIED CH. 194.
#H. 518 (GUILFORD) AUTHORIZING FUND INVESTMENT. RATIFIED CH. 195.
H. 525 (HARNETT) COATS ABC PROFITS ALLOCATION. S-PASSED 2ND & 3RD READING.
H. 635 (MOORE) MIXED DRINKS-ELECTION. H-REPTD FAV AS AMENDED; H-RE-REF TO COM FINANCE.
H. 647 (MARTIN) MORE MAGISTRATES. H-REPTD FAV.

Next Sessions of Senate and House: 12 Noon, Thursday, April 15, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 67

-515-

THURSDAY, APRIL 15, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 436 No report-deer hit by auto GS 113
Introducers: Taylor and others Sent to WILDLIFE

"To provide that persons who accidentally kill deer with motor vehicles need not report such accident to the Wildlife Resources Commission." As title indicates; provides also individual accidentally killing deer with auto not required to surrender carcass to any public agency. Effective July 1, 1971.

S 437 (Joint Resolution) Southport-NC July 4 Festival MISC RES
Introducer: Frink Sent to VETERANS

"Designating the 4th of July Festival in the Town of Southport as the North Carolina Fourth of July Festival." As title indicates.

S 439 Pay hike-district court judges APPROPRIATION, GS 7A
Introducer: McLendon Sent to APPROPRN

"To appropriate funds to the Administrative Office of the Courts to raise the salaries of district court judges." Appropriates additional sum of \$260,391 to AOC for each year of 1971-73 biennium to raise annual salaries of district court judges to \$20,500 and of chief district court judges to \$22,000 (under GS 7A-144, to be fixed by Budget Appropriations Act--currently, \$17,000 and \$18,000, respectively).

S 440 Public funds for nursing schools (Iden. H 723) APPROPRIATION, GS 115
Introducer: Moore Sent to PUB HLTH

"To appropriate funds to the State Board of Education to provide financial assistance to hospital programs of nursing education leading to diplomas in nursing." Appropriates \$741,300 for 1971-73 biennium to State Bd. of Education for financial assistance of \$300 per student to hospital programs of nursing education leading to diplomas in nursing; amounts not spent during fiscal 1971-72 made available for fiscal 1972-73. Authorizes Board to make necessary regulations to implement act, and requires that programs be in educational unit accredited by Board of Nursing and licensed by Medical Care Comm'n to be eligible for funds. Effective July 1, 1971.

S 441 Insurer holding registration GS 58
Introducers: Allen and others Sent to INSUR

"To provide for insurer holding company registration and disclosure." Adds new Art. 12 to GS Ch. 58, Subch. II as follows: Provides every insurer which is authorized to do business in State and is a member of an insurance holding company system shall register in specified time with Comm'r of Insurance (except foreign



insurer subject to similar standards in its domicile). Requires every insurer subject to registration to file forms giving specified information about organizational and financial structure of company, with financial arrangements involving 1/2% or less of admitted assets excluded from reporting requirements. Provides for termination of registration of any insurer demonstrating it no longer is member of holding company system; consolidated filing for affiliated insurers; alternative registration by one insurer on behalf of another insurer part of same holding company system; exemptions to filing requirements by Comm'r; and filing by insurer of disclaimer of affiliation with any other authorized insurer, said disclaimer to relieve company of filing requirements unless disallowed for cause by Comm'r. Makes failure to file registration statement within required time violation of Article.

Sets standards for transactions with affiliates (e.g., fair terms and accurate books); for adequacy of surplus as determined by specified information as to insurer's operational and financial structure; and for payment of extraordinary dividends, no such dividend being permitted until (1) notice of declaration of dividend is given Comm'r who (2) within 30 days approves or fails to disapprove it (defines extraordinary dividend and provides company may declare such dividend, with right to dividend not to vest in shareholders until same approved by Comm'r or until he has failed to disapprove it within 30-day limit). Provides for limited examination by Comm'r of company's records as necessary to ascertain financial condition or legality of conduct of insurer; for use of consultants by Comm'r in making such examinations; for payment by insurer of expenses of examinations; and for confidential treatment of information gained in the course of such examination, unless (1) disclosure is made to insurance departments of other states, or (2) insurer gives prior written consent, or (3) Comm'r after notice and hearing to insurer determines that interests of policyholders, shareholders, or the public will be served by publication. Empowers Comm'r (after notice and hearing) to issue such rules and regulations as necessary to carry out provisions of Article. Empowers Comm'r to petition courts for injunctive and other equitable relief for violations of Article. Provides fine up to \$500 for any insurer or individual willfully violating Article, imprisonment up to 2 years if such willful violation involves deliberate perpetration of a fraud upon Comm'r, or both. Provides Comm'r may take insurer into receivership when any person has committed violation of Article threatening solvency of company or making hazardous further transaction of business by it. Provides for revocation, suspension, or nonrenewal of insurer's license when Comm'r after notice and hearing determines insurer has committed violation of Article making continued operation of company contrary to interest of policyholders or public, said determination to be accompanied by specific findings of fact and conclusions of law. Provides for judicial review in Wake County superior court according to provisions of GS 58-9.3 ("Court review of orders and decisions") for any person aggrieved by order of Comm'r made pursuant to act; and for petition to Wake superior court for writ of mandamus or peremptory mandamus for any person aggrieved by failure of Comm'r to act or make determination required by Article. Effective July 1, 1971.

S 443 Welfare liens repeal
Introducer: Flaherty

GS 108
Sent to ST GOVT

"To provide that the lien on real property provided for by G.S. 108-29 shall not apply to assistance payments made after July 1, 1971." Adds to GS 108-29 provision the lien on real property of any person receiving assistance to aged and disabled shall not apply to assistance payments made after July 1, 1971. Effective July 1, 1971.

HOUSE

H 721 (Joint Resolution) Study simplified State
tax return
Introducer: M. Smith

STUDY, GS 105
Sent to FINANCE

"To simplify the State income tax return by using the Federal definition of

taxable income and applying the State rates thereto." Directs Dep't of Tax Research, Dep't of Revenue, and the Tax Study Comm'n to advise the Gen'l Assembly (preferably this session) what changes would be needed in General Statutes to use simpler form for State income tax (one using Federal definition of "taxable income"), effect on State revenue of that change, and the rates needed after change to maintain same revenue.

H 723 Public funds for nursing schools (Iden. S 440) APPROPRIATION, GS 115
Introducer: Long Sent to APPROPRN

"To appropriate funds to the State Board of Education to provide financial assistance to hospital programs of nursing education leading to diplomas in nursing"
Identical to S 440, digested in the Senate section of today's Bulletin.

H 727 No loitering at polls GS 163
Introducer: Gentry Sent to ELECTION

"To amend Chapter 163 of the General Statutes so as to prohibit loitering and electioneering in and around voting places." Rewrites GS 163-147 to prohibit any person or group from loitering about, congregating, distributing campaign material or electioneering within the voting place or within 100 feet (now fifty feet) of the building in which the voting place is located on primary or election day while polls are open. Does not prohibit candidate from visiting voting places in person if he does not enter voting enclosure unless to cast his vote as a registered voter in said precinct. County board of elections authorized to enforce.

H 733 Job cert. for minors by doctors GS 110
Introducer: Messer Sent to MFG LABR

"To repeal G.S. 110-12(2)d. allowing a doctor to certify that a minor is of sufficient age to be employed." Repeals subsection of GS 110-12 which allows physician to certify after physical examination that minor is of required age for job when none of other acceptable proofs of age is available and parents certify to that effect.

LOCAL BILLS INTRODUCED

SENATE

S 438 Board of education election (Iden. H 731) WILSON
Introducer: Kirby Sent to EDUCATN

"To provide for the election of the Wilson County Board of Education."
Identical with H 731, digested in the House section of today's Bulletin.

S 442 School bond election SURRY
Introducer: Folger Sent to EDUCATN

"To authorize the issuance of school building bonds in behalf of school districts and special bond tax units and the levy of taxes within such districts and units for the payment of the principal and interest of such bonds in Surry County." As title indicates. Authorizes county bd. of education, on receipt of petition of 10% of qualified voters of a territory seeking creation of a school district therein and issuance of bonds, to hold public hearing and create or deny creation of district. Thereafter, bd. may call on county comm'rs to hold special election in district on question of bond issue and supporting tax for school building purposes. Provides for election procedures and details of bonds (which shall be payable exclusively from district or unit taxes, but county comm'rs may pay any part of interest and principal on bonds). Authorizes special tax to be levied by county comm'rs in district or tax unit to pay bond interest and principal. Total outstanding district bonds (plus a proportionate part of county school debt, measured by tax values) not to exceed 8% of assessed valuation in district or unit.

HOUSE

H 722 Dep't of community affairs
Introducer: Soles

COLUMBUS
Sent to LOC GOVT

"To establish in Columbus County a Department of Community Affairs, to appoint a director, to name an advisory board and to prescribe the duties of said director and board." Establishes Dep't of Community Affairs for Columbus County and sets out various duties relating to community affairs and human relations. Establishes office of director of Dep't, to be filled by appointment by members of Gen'l Assembly residing in Columbus County (or members serving the district, if no Columbus resident), to be paid \$8,400 per year salary and \$1,200 annual travel allowance, to be supplied by county comm'rs with office space and supplies, and to also serve as either tax collector or civil defense director at request of comm'rs and without additional compensation unless authorized by comm'rs. Establishes 30-member advisory board, setting out 10 categories of ex officio members and providing for selection of remainder by members of Gen'l Assembly residing in Columbus (or district, as above) all being subject to removal by those legislators, who also serve as non-voting members of board. Directs county comm'rs to reimburse director and board members for expenses, to give board members 10¢ per mile allowance, and to provide director up to \$400 per month for secretary. Effective July 1, 1971.

H 724 County comm'rs fill jobs
Introducers: Penton and G. Rountree

NEW HANOVER
Sent to LOC GOVT

"To give the Board of Commissioners of New Hanover County the power to appoint persons to fill job vacancies within the county." Empowers bd. of comm'rs to use its absolute discretion in appointment of persons to fill vacant positions with county when public interest so requires, notwithstanding provisions of Ch. 578, SL 1939 (County Civil Service Act).

H 725 County comm'rs appoint auditor
Introducers: Penton and G. Rountree

NEW HANOVER
Sent to LOC GOVT

"To give the Board of Commissioners of New Hanover County the power to appoint a county auditor." Repeals Ch. 493, SL 1913 and all amendments thereto at expiration of term of office of current auditor of county and empowers bd of comm'rs thereafter to appoint county auditor. (Now elected).

H 726 County mosquito control program
Introducers: Penton and G. Rountree

NEW HANOVER
Sent to LOC GOVT

"Relating to mosquito control in New Hanover County." Grants New Hanover Board of County Comm'rs powers given to governing bodies of mosquito control districts for purposes of GS Ch. 130, Art. 24, those powers including levying taxes, issuing bonds, taking control measures and other actions for purposes of mosquito control.

H 728 Optional sales tax changes
Introducers: Fenner, Barbee and Eagles

NASH, EDGECOMBE
Sent to LOC GOVT

"Amending the Local Government Sales and Use Tax Act of 1971 as it applies to Nash and Edgecombe counties." Modifies GS 105-465, -466(a), -466(b), -466(d), -473(a), -473(b), and -473(c) to provide that neither Nash nor Edgecombe County can vote on, levy or collect optional sales and use tax unless the other county does so also. Modifies GS 105-466(c) to provide that tax cannot be collected earlier than first day of second succeeding calendar month after effective date set out in resolution of county comm'rs levying tax. Modifies GS 105-473(b) and (c) to provide for mutual termination procedures.

H 729 Bail bondsmen and runners JOHNSTON
Introducers: J. M. Johnson and Gardner (by request) Sent to LOC GOVT

"To include Johnston County under the provisions of Chapter 85A-34 of the General Statutes relating to bail bondsmen and runners." Adds Johnston to list of counties to which GS Ch. 85A ("Bail Bondsmen and Runners") applies. Effective September 1, 1971.

H 730 Williamston Housing Redev. Comm. BERTIE
Introducer: Everett Sent to LOC GOVT

"Relating to the Williamston Housing Authority and Redevelopment Commission." Authorizes Board of Commissioners of Williamston to reconstitute the Williamston Housing Authority and the Williamston Redevelopment Commission as a single 7-member comm'n.

H 731 Board of education election (Iden. S 438) WILSON
Introducer: Paschall Sent to LOC GOVT

"To provide for the election of the Wilson County Board of Education." Provides Wilson Board of Education to consist of 5 members elected at large for 4-year terms. Provides no more than one of the five to reside inside the territorial limits of administrative unit for Wilson City Board of Education, and describes method of applying this limitation. Sets expiration date for terms of office of present board members, two (Clark and Renfrow) to end November, 1972 and three (Best, Tomlinson and Richards) to end November, 1974. Provides vacancies to be filled by remaining members of Board. Subject to provisions of act makes GS Ch. 115 Art. V ("County and City Boards of Education") apply to Wilson Board.

H 732 Winfall Charter revision PERQUIMANS
Introducer: Culpepper Sent to LOC GOVT

"To revise and consolidate the Charter of the Town of Winfall in Perquimans County." As title indicates. Covers subjects of town boundaries; composition of bd. of comm'rs (mayor plus three comm'rs); town officers (specifies that comm'rs to appoint clerk, treasurer, chief of police and others deemed necessary); ordinance powers; taxes; and compensation of board (mayor to receive \$10 per month, comm'rs \$5 each per month).

H 734 Charlotte Symphony funds MECKLENBURG
Introducers: Vogler, Beatty, Campbell, Cobb, Sent to LOC GOVT
Foley, Hicks, and Lawing

"Authorizing the Charlotte City Council to appropriate funds annually to the Charlotte Symphony Orchestra Society, incorporated, from non-tax revenues." As title indicates, authorizes appropriation only from non-tax revenues. Requires Charlotte Symphony Orchestra Society, Inc. to provide City Council an accounting of expenditure of funds so appropriated on or before June 1 each year and other times as council may require.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 178 Flag desecration (Iden. H 317, digested in Bulletin No. 32, p. 223)
Amendment adopted in Senate 4/15/71 deletes provision in original bill making it unlawful to take down without authority any US or NC flag flying in public place, and also changes punishment for violation of act from \$50 or 30 days to \$500 or 6 months.

S 206 Boat lifesaving device (Iden. H 289, digested in Bulletin No. 31, p. 209)
Amendment adopted in Senate 4/15/71 makes act effective July 1, 1971 rather than on ratification.

HOUSE BILLS

H 259 Disabled persons-parking (original bill digested in Bulletin No. 27, p. 181)
Committee substitute adopted in House 4/15/71 adds new GS 20-37.6 permitting "any person who has lost the use of one or both legs or is so severely disabled as to be unable to walk without aid of mechanical device" (original bill defined handicapped driver by cross reference) to park for unlimited periods in parking zones restricted as to length of time parking is permitted. Requires vehicle so parked to display distinguishing license plate issued for vehicle registered to disabled person by Dept MV. (Original bill required flag be displayed). Effective January 1, 1972.

H 482 Requiring emission control device (original bill digested in Bulletin No. 48, p. 348; previous Committee Substitute adopted in House 4/8/71 digested in Bulletin No. 62, p. 472)

Second Committee Substitute adopted in House 4/15/71 differs from former Committee Substitute by adding provision that requirement to keep original emission control devices on vehicle shall not apply where devices removed to convert vehicle to operate on natural or liquified petroleum gas, or otherwise to reduce air pollution, if modifications approved by Dep't Water and Air Resources. Adds corresponding exempting language to Sec. 2 of bill concerning denial of inspection certificate for vehicles without original control devices. Makes other clarifying changes.

H 538 Driver license revocation-chases-2 (digested in Bulletin No. 55, p. 393)
Amendment adopted in House 4/15/71: (1) provides new license may be issued by DMV three years after revocation for violation of act upon proof of good behavior and upon such terms and conditions as Department may impose (not to exceed 3 years). (2) In new paragraph added to GS 20-17 changes words "attempting to flee" to "fleeing."

H 561 (Joint Resolution) Mecklenburg School case (original bill digested in Bulletin No. 57, p. 414; previous amendment adopted by House digested in Bulletin No. 60, p. 446).

Two amendments adopted in House 4/15/71. One deletes whereas clause referring to problems of unrest, tension, and anxiety occasioned to students, teachers, parents and taxpayers due to sudden change from neighborhood school system; second amendment alters resolution to petition U.S. Supreme Court to render its decision at earliest possible date (original bill encouraged and requested Court to do so).

H 674 (Duplin, Pender) Hunting season (digested in Bulletin No. 63, p. 484)
Committee Substitute adopted in House 4/15/71 amends Ch. 258, SL 1969 (hunting season for bear, deer and squirrel in Duplin, Onslow and Pender) to make open season of Oct. 1 to Jan. 1 apply only to Pender County and to make remainder of sections apply only to Duplin and Pender (original bill had Sec. 2, 3, 4, 5, 6, and 7 apply only to Pender; and Sec. 8 only apply to Duplin).

SENATE AND HOUSE

CALENDAR ACTION

APR.15,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 39 PRESIDENTIAL PRIMARY ELECTION.(3/30, 4/08, 4/14, 4/14)
H-PLACED ON CAL FOR APR 20.
S. 89 FIREMEN'S PENSION AFTER 20 YEARS. S-RECALLED FROM COM;
S-PLACED ON CAL FOR APR 16.
S. 117 MENTAL CARE-PARENTS' LIABILITY. S-RECALLED FROM COM; S-PLACED
ON CAL FOR APR 16.
S. 143 OBSTRUCTING HIGHWAYS.(3/02, 4/12) S-CONCURRED IN H AMEND.
S. 154 NOTARIES' ACTS VALIDATED.(4/06) S-RE-REF COM ON JUDIC 1.
S. 178 FLAG DESECRATION.(4/15) S-COM AMEND ADOPTED; S-PASSED 2ND &
3RD READING.
#S. 189 LANDSCAPE ARCHITECT CORPORATIONS.(4/12) RATIFIED CH. 196.
S. 204 WILDLIFE PROTECTOR RETIREMENT. S-REPTD FAV.
S. 206 BOAT LIFESAVING DEVICE.(4/15) S-COM AMEND ADOPTED; S-PASSED
2ND & 3RD READING.
S. 208 BEAR KILLING PENALTY. S-PASSED 2ND READING.
S. 209 FREE OLDSTER FISH-HUNT LICENSE. H-REPTD FAV; H-PLACED ON CAL
FOR APR 21.
S. 212 DIVORCE COMPLAINTS.(3/10, 4/06) S-RE-REF COM ON JUDIC 2.
S. 214 DRIVER LICENSE REVOCATION-PATIENTS.(4/01, 4/12) S-RE-REF COM
ON HY SAFTY.
S. 222 UNC/REG. UNIV. BDS.-STUDENTS. S-PLACED ON CAL FOR APR 20.
S. 244 NONRES HUNTING LICENSE PROCEEDS.(3/26) H-REPTD FAV; H-PLACED
ON CAL FOR APR 21.
#S. 247 POWER OF ATTORNEY, VALIDITY.(3/17, 4/12) RATIFIED CH. 197.
S. 262 (J.RES.) WELCOMING THE ORIGINAL 13. H-REPTD FAV AS AMENDED.
S. 263 EMPLOYMENT OF WELFARE RECIPIENTS. H-REPTD FAV.
S. 275 SALE OF UNCLAIMED VEHICLES. S-REPTD FAV AS AMENDED.
S. 295 WILDLIFE RESOURCES DISTRICTS. H-REPTD FAV.
S. 303 GENERAL ASSEMBLY SESSIONS. S-REPTD FAV; S-PLACED ON CAL FOR
APR 19.
S. 326 SOYBEAN & FEED GRAIN FUNDING. S-REPTD FAV; S-RE-REF COM ON
APPROPRN.
S. 328 SETTLING LAND TITLES. H-REPTD FAV; H-PLACED ON CAL FOR APR
20.
#S. 329 BROADENING DMV AIRCRAFT USE. RATIFIED CH. 198.
S. 374 INCREASE BUILDING CODE COUNCIL. S-PASSED 2ND & 3RD READING.
S. 380 LOCAL RETIREM'T SYSTEM ADMIN. S-PASSED 2ND & 3RD READING.
S. 381 INCREASED LOCAL RETIREM'T BENEFITS. S-PASSED 2ND & 3RD
READING.

- S. 406 TAX REFUNDS TO CHARITABLE GROUPS. S-PASSED 2ND & 3RD READING.
- H. 2 18 YEAR OLD VOTE-1.(3/16) S-FLOOR AMENDS FAILED; S-PASSED 3RD READING.
- H. 52 NAVIGABLE WATERS GRANTS.(4/14) H-PASSED 2ND & 3RD READING.
- H. 121 NEW ELECTION TIE-BREAKER.(3/19) S-PLACED ON CAL FOR APR 16.
- H. 259 DISABLED PERSONS-PARKING.(4/15) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 289 BOAT LIFESAVING DEVICES. H-REPTD FAV; H-PLACED ON CAL FOR APR 21.
- #H. 291 FREE OLDSTER FISH-HUNT LICENSE. H-REPTD UNFAV.
- #H. 299 POWELL BILL-SIDEWALKS. H-REPTD UNFAV.
- H. 303 SHOPLIFTING ARREST LIABILITY.(3/30, 3/31, 4/13, 4/14) H-REC TO CONCUR IN S AMEND; H-REF TO COM ON JUDIC 1.
- H. 314 BEAR KILLING PENALTY. H-REPTD FAV; H-PLACED ON CAL FOR APR 21.
- #H. 343 HUNTING ON SUNDAY. H-REPTD UNFAV.
- H. 382 TO PROVIDE STORAGE LIEN.(4/08) S-REPTD FAV.
- H. 448 VITAL STATISTICS CHANGES.(4/13) S-REC FROM HOUSE; S-REF TO COM ON PUB HLTH.
- H. 461 MEDICAL CHEST IN MFG PLANT. S-REC FROM HOUSE; S-REF TO COM ON PUB HLTH.
- #H. 465 NOTARY PUBLIC-FEES,SEALS. H-REPTD UNFAV.
- H. 466 REGIONAL JAIL OPERATIONS.(4/05) S-RE-REF COM ON LOC GOVT.
- #H. 477 POWELL BILL FUNDS. H-REPTD UNFAV.
- H. 481 FISH RUSTLING. H-REPTD FAV AS AMENDED; H-PLACED ON CAL FOR APR 21.
- H. 482 REQUIRING EMISSION CONTROL DEVICE.(4/08, 4/15) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 489 REPEAL G.S. CHAPTER 3. S-PASSED 2ND & 3RD READING.
- #H. 497 MOTION PICTURES AS EVIDENCE. H-REPTD UNFAV-MIN REPORT; H-MIN REPORT FAILED.
- H. 511 WILDCAT PROTECTED. H-REPTD FAV.
- H. 521 NAT'L GUARD-STATE DUTY-MIN. PAY.(4/09) S-PASSED 2ND & 3RD READING.
- H. 538 DRIVER LICENSE REVOCATION-CHASES-2.(4/15, 4/15) H-COM AMEND ADOPTED; H-FLOOR AMEND ADOPTED; H-PLACED ON CAL FOR APR 16.
- #H. 561 (J.RES.) MECKLENBURG SCHOOL CASE.(4/06, 4/15) H-COM AMENDS ADOPTED; H-FAILED 3RD READING.
- H. 566 INTER-AMERICAN AND ASIAN DEV. BANKS. H-PASSED 2ND READING.
- H. 570 COUNTY SOC. SERV. BD. MEMBERS. H-REPTD FAV AS AMENDED.
- #H. 575 DOGS ON CAPITOL SQUARE. H-TABLED.
- H. 600 CREATING NC MANPOWER COUNCIL. H-REPTD FAV.
- H. 683 SWEET POTATO RESEARCH FUNDS. H-REPTD FAV; H-REF TO COM ON APPROPN.
- H. 688 NIGHT SALE OF COTTON. H-REPTD FAV.
- H. 690 PROSECUTING OFFICER-ESCAPEES. H-REPTD FAV.
- H. 695 (J.RES.) ALAMANCE 'REGULATORS'. S-PASSED 2ND & 3RD READING.
- H. 704 (J.RES.) HONORING 'GOOD NEWS SINGERS'. S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.
- H. 707 (J.RES.) MEMORIALIZING HOYLE. S-REC FROM HOUSE; S-REF TO COM ON RULES.

- H. 713 (J.RES.) MEMORIALIZING CAFFEY. S-REC FROM HOUSE; S-PASSED
2ND & 3RD READING.
H. 715 (J.RES.) LRC MENTAL HOSPITALS STUDY. H-REPTD FAV AS AMENDED.

LOCAL BILLS

- S. 350 (SURRY) ABC ELECTION-ELKIN. H-REC FROM SENATE; H-REF TO COM
ON LOC GOVT.
S. 401 (HALIFAX) ROANOKE RAPIDS SCHOOL TAX. S-PASSED 2ND READING.
S. 405 (ALAMANCE, PENDER) WOUND REPORTS BY HOSPITALS. H-REC FROM
SENATE; H-REF TO COM ON LOC GOVT.
- H. 228 (BUNCOMBE) INCORPORATING WOODFIN.(4/13, 4/13) S-REC FROM
HOUSE; S-REF TO COM ON LOC GOVT.
#H. 454 (PASQUOTANK) COUNTY TAX VALUATION PERCENT. H-REPTD UNFAV.
H. 472 (MECKLENBURG) FREEING CHARLOTTE POLICE CARS. S-RE-REF COM ON
LOC GOVT.
H. 495 (IREDELL) DEFRAUDING AMBULANCE SERVICE. S-PASSED 2ND & 3RD
READING.
- #H. 525 (HARNETT) COATS ABC PROFITS ALLOCATION. RATIFIED CH. 199.
H. 565 (CARTERET) TRAPPING LAW. S-REPTD FAV.
H. 586 (ALAMANCE) HUNTING ON ROADS,HIWAYS. S-REPTD FAV.
H. 589 (VANCE) AMBULANCE BILLS. H-REPTD FAV.
H. 592 (WILSON) AUTHORITY TO ORDER AUTOPSIES.(4/09) S-REPTD FAV.
H. 597 (MONTGOMERY) BISCOE STREET & SEWER CONNECTIONS. H-REPTD FAV.
H. 601 (DAVIE) MOCKSVILLE POLICE JURISDICTION-1 MI. H-REPTD FAV.
H. 602 (IREDELL) STATESVILLE-IREDELL CIVIC CENTER. H-REPTD FAV.
H. 603 (HALIFAX) COMMUNITY HOSPITAL TAX. H-REPTD FAV AS AMENDED.
H. 607 (CHEROKEE) BD COMM'RS ELECTION DISTRICTS. H-REPTD FAV.
H. 608 (HAYWOOD) COUNTY HOSPITAL TREASURER. H-REPTD FAV.
H. 609 (ALAMANCE) BURLINGTON-ALAMANCE AIRPORT AUTHORI. H-REPTD FAV.
H. 611 (HARNETT) SURVEYORS' REGISTRATION. H-REPTD FAV AS AMENDED.
H. 612 (MECKLENBURG) PRIVATE USE OF PUBLIC VEHICLES. H-REPTD FAV.
H. 615 (JOHNSTON) GARBAGE COLLECTION REGULATION. H-REPTD FAV.
H. 618 (CRAVEN) TRENT WOODS TAXING POWER. H-REPTD FAV AS AMENDED.
H. 621 (GASTON) LICENSING BAIL BONDSMEN. H-REPTD FAV.
H. 622 (IREDELL) STATESVILLE,MOORESVILLE POLICE. H-REPTD FAV.
H. 623 (DUPLIN) WARSAW POLICE JURISDICTION. H-REPTD FAV.
H. 628 (CRAVEN) RESTRICTING HUNTING AREA. H-REPTD FAV.
H. 634 (JOHNSTON) OFFICE OF TREASURER ABOLISHED. H-REPTD FAV.
H. 638 (BRUNSWICK) TAX LISTING REGULATIONS. H-RETPD FAV.
H. 640 (CLEVELAND) STREET IMPROVEMENT-SHELBY. H-REPTD FAV AS
AMENDED.
H. 642 (STANLY) COUNTY HOME-SALE. H-REPTD FAV.
H. 645 (GASTON) RURAL POLICE DEP'T. H-REPTD FAV.
H. 646 (PENDER) TOPSAIL BEACH,SURF CITY POLICE. H-RETPD FAV.
H. 647 (MARTIN) MORE MAGISTRATES. H-PASSED 2ND & 3RD READING.
H. 660 (HYDE) HUNTING FROM HIGHWAYS. H-REPTD FAV.
H. 674 (DUPLIN, PENDER) HUNTING SEASON.(4/15) H-REPTD FAV COM
SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
H. 677 (JACKSON, TRANSYLVANIA) HUNTING WILD HOGS. H-REPTD FAV.
H. 696 (BERTIE) CONTROLLING SWINE. H-REPTD FAV.

Next Sessions of Senate and House! 10:00 a.m., Friday, April 16, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

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BULLETIN NO. 68

-525-

FRIDAY, APRIL 16, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 444 Price limit-State autos
Introducer: Henley

GS 14
Sent to ST GOVT

"To amend G.S. 14-249 relating to the purchase of motor vehicles by the State."
Amends GS 14-249 to raise to \$3,500 the statutory limit on the price that may be paid by State, any county, or any agency or institution of State for any motor vehicle other than motor truck (now, \$2,500).

S 445 NC Pesticide Law of 1971 (Iden. H 737)
Introducers: McGeachy and others

GS 106, 143
Sent to CONS&DEV

"To provide for the protection of the quality of the environment, and for the protection of the public health through the regulation of the use, application, sale, and disposal of pesticides, and for the registration of pesticides." Adds new Art. 52 to GS Ch. 143, entitled the North Carolina Pesticide Law of 1971, which creates a new NC Pesticide Board, provides for licensing of certain pesticide dealers and commercial applicators (and registration of licensees' employees), authorizes Pesticide Board to regulate sale and use of "restricted-use pesticides" and to regulate disposal of containers and unused pesticides, and repeals Fair Trade Law (G.S. 66-57) as it applies to pesticides. Repeals GS Ch. 106, Arts. 4 (Insecticides and Fungicides), 4A (Insecticide, Fungicide and Rodenticide Act of 1947), and 4B (Aircraft Application of Pesticides), but does not repeal Art. 4C (Structural Pest Control Act).

Part 1: Provides for Pesticide Board, to consist of one member each representing NC Dep't of Agriculture, NC Dep't of Health and a State conservation agency, plus two at-large members (one directly engaged in agricultural production and one chosen from another field of endeavor); members to be appointed by Governor for staggered 4-yr. terms (initial terms specified); Board to appoint chairman from its members, who shall have full vote; 3 concurring votes required to approve any Board action. Designates Board as governing bd. for pesticide programs, and empowers it to adopt regulations and make policies for programs under Art. 52. Provides for NC Comm'r of Agriculture to administer and enforce Article. Provides for 11-member Pesticide Advisory Committee to furnish advisory assistance to Board and Comm'r; specifies composition of Advisory Committee (including a farmer, a conservationist, an ecologist, 2 industry representatives, three NCSU faculty members, and one member each from NC Dep't of Agric., NC Dep't of Health, and a State conservation agency).

Part 2: Empowers Board to adopt and amend a list of restricted use pesticides (those so designated because they are persistent pesticides or because so hazardous as to require restrictions). Restricted use regulations may limit time and conditions of sale, distribution and use; may prohibit use for designated purposes or at designated places and times; may require purchasers to certify that they will abide by regulations of restricted use pesticides; and may require purchase and use thereof only under permit and supervision of Board as designated. Substantially carries forward present pesticide registration statute (GS Ch. 106, Art. 4A), supplemented by



provisions concerning emergency suspension of registration, and expanded provisions concerning sampling and seizures.

Parts 3 and 4: Requires pesticide dealers who distribute or sell restricted use pesticides (other than veterinarians, physicians, and dealers whose sales are limited to pesticides in consumer-sized packages) to be licensed annually and pay \$25 annual license fee. Specifies as qualifications for licensing two years' experience as employee or owner-operator in pesticide sales (years of training substitutable), or appropriate college degree; requires examination for original license; requires registration of employees selling or recommending pesticides. Spells out grounds for denial, suspension or revocation of licenses. Contains similar provisions for licensing of all commercial pesticide applicators (excluding persons applying pesticides only on own land and for accommodation of neighbors, but including persons in charge of equipment used by public utilities, and state and local governments) with \$50 annual license fee and \$10 annual inspection fee for each aircraft and \$5 for each piece of ground equipment; requires registration of solicitors, salesmen and operators of applicators. Contains similar provisions for licensing of pest control consultants, with annual license fee of \$50. Authorizes Board to adopt regulations concerning methods of pesticide application, which may restrict or prohibit uses of pesticides at designated times and places, in order to prevent damage by drift or misapplication. Requires pesticide wholesalers and manufacturers to file monthly reports of purchases, shipments and sales of pesticides.

Part 5: Defines various terms, including "pesticides" (substances intended for destroying, preventing or mitigating insects, rodents, nematodes, fungi, weeds or other forms of animal life or viruses, declared to be a pest by the Board, and substances intended for use as plant regulators, defoliants or desiccants). Spells out general powers of the Board (including rulemaking power), and procedures for registration of pesticides, rulemaking, actions affecting licensees, record-keeping, and inspections. Provides for fees and charges received by Board to be deposited with Dep't of Agriculture General Fund Budget with accounting procedures approved by Board. Prescribes penalties for violations of Act (\$100 to \$1,000 fine and/or up to 60 days' imprisonment, with continuing violations for each day's violation after notice). Authorizes Board to (a) require evidence of financial responsibility of any licensee under Act, and performance bond to secure performance of licensees' contracts; and (b) permit provisional or interim licensing until 12/31/73 without examinations or other qualifications.

Parts 3 and 4, and specified portions of Part 1 relating to registration, effective 1/1/72. Remainder of Act effective 7/1/71.

S 446 Uniform crime reporting system
Introducers: McGeachy and others

GS 114, 14
Sent to CORRECTN

"To amend G.S. 114-10 regarding the Division of Criminal Statistics so as to establish a uniform crime reporting system requiring municipal and county officials to submit certain information regarding the nature and volume of crime to the Attorney General to be correlated and statistics to be made therefrom." Rewrites GS 114-10 to provide that AG is to establish Uniform Crime Reporting System in Dep't of Justice and under his supervision, to collect criminal justice information from local officials under rules and regulations promulgated by AG. Indicates following kinds of information to be included: number and kinds of crimes, disposition of cases, characteristics of offenders, property and persons missing, firearms registered, stolen property, warrants, drugs (last five items new). Authorizes AG to also include information available from other State and from federal agencies. Requires AG to analyze information and report biennially to Governor and General Assembly on nature of crime in the State and operation of criminal justice agencies. Subjects any local law enforcement official who wilfully fails to provide requested information to be amerced on motion of AG for \$200. (Now, similar duties given to Division of Criminal Statistics in Dep't of Justice but duty of local officials to participate not spelled out nor is rule-making power of AG.) Makes conforming amendment in GS 114-10.1 (Police Information Network)

S 447 US Const.-ratify 18 yr. amend.-1
Introducers: Alley and others

CONSTITUTION
Sent to CONSTUTN

"Ratifying the proposed amendment to the Constitution of the United States of America, providing that the right of citizens who are eighteen years of age to vote shall not be denied or abridged on account of age." Ratifies amendment to US Constitution proposed by Congress of US providing right of 18 year olds to vote shall not be denied or abridged on account of age and granting Congress authority to enforce the right by appropriate legislation. Provides copies of act to be sent by Governor to US Secretary of State, President of US Senate, and Speaker of US House of Representatives.

HOUSE

H 735 (Joint Resolution) Study comm'n-election abuses
Introducer: Gentry

STUDY, GS 163
Sent to ELECTION

"Creating the Commission on Abuses of the Election and Voting Process." Creates Comm'n on Election and Voting Abuses in North Carolina composed of seven members appointed by Governor (who appoints Chairman), with no more than four of the seven to be members of the same political party, and with vacancies to be filled by Governor from same political party as vacating member. Directs Comm'n to study procedures attendant to registration and voting, exploring all possibilities of fraud, abuse of voters or attempts to influence voters with offers of payment. Directs Comm'n to concentrate its study especially on GS 163-146 through 163-154 of GS Ch. 163 ("Elections and Election Laws"). Requires Comm'n report its findings including any recommendations for election law changes to Governor prior to next regular session of General Assembly for transmittal to Assembly. Provides for meetings of Comm'n and for payment of expenses of members not officers or employees of State from Contingency and Emergency Fund.

H 736 US Const.-ratify 18 yr. amend.-2 (Iden. H 738)
Introducer: Ingram

CONSTITUTION, GS 163
Sent to CONSTUTN

"To ratify a proposed amendment to the Constitution of the United States to extend the right to vote to citizens eighteen years of age or older." Identical in substance with S 447, digested in the Senate section of today's Bulletin.

H 737 NC Pesticide Law of 1971 (Iden. S 445)
Introducers: Speed and others

GS 106, 143
Sent to AGRICULT

"To provide for the protection of the quality of the environment, and for the protection of the public health through the regulation of the use, application, sale, and disposal of pesticides and the registration of pesticides." Identical with S 445, digested in the Senate section of today's Bulletin.

H 738 US Const.-ratify 18 yr. amend.-2 (Iden. H 736)
Introducer: Beatty

CONSTITUTION, GS 163
Sent to CONSTUTN

"To ratify a proposed amendment to the Constitution of the United States to extend the right to vote to citizens eighteen years of age or older." Identical in substance with S 447, digested in the Senate section of today's Bulletin.

H 739 Open space land procedures
Introducers: McDaniel and others

GS 153, 160
Sent to CONS&DEV

"To require advanced planning and a public hearing by counties and municipalities prior to acquisition of open spaces and areas and to prohibit the conversion of such property to uses other than those originally approved." Adds new GS 160-181.10 requiring that before county or municipality can acquire land for open spaces it must adopt comprehensive plan giving details of proposed use and development, and that that plan shall not be approved until after public hearing for which 15 days' notice has been given (in newspaper or, if no newspaper with gen'l circulation in jurisdiction, by posting in four public places). Prohibits county or municipality from converting open spaces land to uses other than those originally approved pursuant to this section.

H 740 Registering guns, weapons
Introducer: Martin

GS 14
Sent to JUDIC 1

"To regulate the possession and transfer of certain guns and destructive devices." Adds new article to GS Ch. 14 requiring all possessors of particular guns and destructive devices to register the number or other identifying marks with the SBI Director, and providing penalties for failing to register, for altering identification marks after registration, for failing to affix marks assigned by SBI, for transferring weapon without complying with requirements of photographing and fingerprinting and notification of SBI, and for knowingly supplying false information in any of those actions. Makes violation general misdemeanor and subjects weapon to seizure and forfeiture. Defines weapons to which Article applies to include: (1) weapons able to shot more than one shot by single function of trigger; (2) single-shot shoulder weapons; (3) shotguns; (4) generally bombs, explosives, incendiaries, grenades, etc.; (5) silencers or mufflers for any listed weapon; (6) any type of weapon able to fire a projectile and having barrel with a bore of over 1/2" in diameter. Makes exception for devices not originally intended as weapons, for weapons converted to other use, and for antique guns; and provides exclusions from act for various officials and dealers. Requires Director of SBI to maintain central registry of weapons, to print and distribute necessary forms, and to assign identifying mark to weapons without one. Provides that registration or other information required under act shall not be used as evidence of any crime occurring prior to filing of registration, except violation of Article. Effective Jan. 2, 1972.

H 744 Halifax hunting on highways
Introducer: Josey

GS 143
Sent to WILDLIFE

"To prohibit the taking of game from certain public highways in Halifax County." Prohibits in Halifax County (a) hunting, taking or killing birds, animals or beasts by use of firearms from roadways or rights-of-way of public highways, and (b) the discharging of firearms on or across public highways. Makes violation misdemeanor (maximum fine of \$50.00 or 30 days' imprisonment, or both), and authorizes peace officers and wildlife game protectors to enforce bill.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 741 County airport authority
Introducer: Jones

RUTHERFORD
Sent to LOC GOVT

"To enable the County of Rutherford to establish an airport authority for the maintenance of airport facilities in the county." Establishes authority of 5 members appointed by County Comm'rs for 4-year staggered terms. Defines powers of authority. Authorizes County to give or sell real and personal property including non-tax monies. Grants authority power of eminent domain. Requires annual report to County Comm'rs. Authorizes County Comm'rs to appropriate to authority funds derived from \$150,000 airport bond issue, and the fund derived from the annual 2¢ tax per \$100 property valuation approved by county's voters for airport purposes.

H 742 Shallote ABC profits
Introducer: Harrelson

BRUNSWICK
Sent to LOC GOVT

"To amend Chapter 519 of the 1959 Session Laws relating to ABC stores in Shallotte." Amends said chapter to provide for distribution of profits as follows: 10% to high school serving residents of Shallotte (now, 10% to Shallotte High School), 10% to (and divided equally between) the elementary school and junior high school serving the residents of Shallotte (now, 20% to Board of Education of Brunswick County), and 10% to Brunswick County Board of Education (new subsection in proposed bill). Adds new section providing that all sales of wine in Town of Shallotte are restricted to Shallotte ABC store.

H 743 Thomasville city limits
Introducers: Hege and Snyder

DAVIDSON
Sent to LOC GOVT

"To amend the Charter of the City of Thomasville by defining the corporate limits of the City to include the areas annexed prior to December 31, 1970." As title indicates, the bill containing detailed description of area.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 275 Sale of unclaimed vehicles (digested in Bulletin No. 43, p. 309)
Amendment adopted in Senate 4/16/71 requires notice of sale on form approved by DMV rather than copy of advertisement of sale be sent to Comm'r of MV 20 days prior to sale.

HOUSE BILLS

H 121 New election tie-breaker (original bill digested in Bulletin No. 14, p. 90; amendment adopted 3/19/71 digested in Bulletin No. 48, p. 349)
Amendment adopted in Senate 4/16/71 deletes requirement that tie-breaking election be held at particular time (under bill as now proposed, four weeks after general election) so that bill sets no time for holding election.

H 303 Shoplifting arrest liability (Iden. S 175, digested in Bulletin No. 31, p. 209; amendments adopted in House 3/30/71 and 3/31/71 digested in Bulletin No. 55, p. 395 and Bulletin No. 56, p. 404; amendments adopted in Senate 4/13/71 and 4/14/71 digested in Bulletin No. 65, p. 500 and Bulletin No. 66, p. 512)

Senate 4/16/71 passed motion to reconsider vote on third Senate amendment (4/14/71) and allowed that amendment to be withdrawn. Amendment had struck out list of specific offenses for which merchant or peace officer would not be civilly liable; effect of today's action is to reinsert that listing.

- H 382 To provide storage lien (digested in Bulletin No. 39, p. 277; amendments adopted in House 4/8/71 digested in Bulletin No. 62, p. 472)
Amendment adopted in Senate 4/16/71 adds those towing personal property to list of persons with lien upon property.
- H 538 Driver license revocation-chases-2 (original bill digested in Bulletin No. 55, p. 393; amendments adopted April 15 digested in Bulletin No. 67, p. 520).
Two amendments adopted in House 4/16/71 make technical, clarifying changes only.
- H 603 (Halifax) Community hospital tax (original bill digested in Bulletin No. 60, p. 445)
Amendment adopted in House 4/16/71 makes technical changes only.
- H 611 (Harnett) Surveyors' registration (original bill digested in Bulletin No. 61, p. 458)
Amendment adopted in House 4/16/71 changes effective date from July 1, 1972 to date of ratification.
- H 618 (Craven) Trent Woods taxing power (digested in Bulletin No. 61, p. 458)
Amendment adopted in House 4/16/71 makes one technical change and makes clear that incorporated area being referred to is Trent Woods.
- H 640 (Cleveland) Street improvements-Shelby (digested in Bulletin No. 62, p. 470)
Technical amendment adopted in House 4/16/71.
- H 642 (Stanly) County Home-sale (digested in Bulletin NO. 62, p. 470)
Technical amendment adopted in House 4/16/71.

SENATE AND HOUSE

CALENDAR ACTION

APR.16,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- #S. 31 ANNUAL LEGISLATIVE SESSIONS-2. S-REPTD UNFAV.
S. 89 FIREMEN'S PENSION AFTER 20 YEARS. S-PLACED ON CAL FOR APR 20.
S. 94 CLERK SUPERIOR COURT,GS2. S-REPTD FAV AS AMENDED; S-PLACED ON CAL FOR APR 21.
S. 117 MENTAL CARE-PARENTS' LIABILITY. S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PLACED ON CALENDAR.
#S. 143 OBSTRUCTING HIGHWAYS.(3/02, 4/12) RATIFIED CH. 200.
#S. 153 GOVERNOR'S VETO POWER. S-REPTD UNFAV.
S. 178 FLAG DESECRATION.(4/15) H-REC FROM SENATE; H-REF TO COM ON MILITARY.
S. 204 WILDLIFE PROTECTOR RETIREMENT. S-PLACED ON CAL FOR APR 20.
S. 206 BOAT LIFESAVING DEVICE.(4/15) H-REC FROM SENATE; H-REF TO COM ON WILDLIFE.
S. 208 BEAR KILLING PENALTY. S-PLACED ON CAL FOR APR 20.
S. 214 DRIVER LICENSE REVOCATION-PATIENTS.(4/01, 4/12) S-RECALLED FROM COM; S-PLACED ON CAL FOR APR 19.
S. 275 SALE OF UNCLAIMED VEHICLES.(4/16) S-COM AMEND ADOPTED; S-PASSED 2ND READING.
S. 374 INCREASE BUILDING CODE COUNCIL. H-REC FROM SENATE; H-REF TO COM ON ST GOVT.
S. 380 LOCAL RETIREM'T SYSTEM ADMIN. H-REC FROM SENATE; H-REF TO COM ON ST PERS.
S. 381 INCREASED LOCAL RETIREM'T BENEFITS. H-REC FROM SENATE; H-REF TO COM ON ST PERS.
S. 406 TAX REFUNDS TO CHARITABLE GROUPS. H-REC FROM SENATE; H-REF TO COM ON FINANCE.
S. 413 STATE HISTORY IN PUBLIC SCHOOLS. S-REPTD FAV.
#H. 2 18 YEAR OLD VOTE-1.(3/16) RATIFIED CH. 201.
H. 52 NAVIGABLE WATERS GRANTS.(4/14) S-REC FROM HOUSE; S-REF TO COM ON CONS&DEV.
H. 121 NEW ELECTION TIE-BREAKER.(3/19, 4/16) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
H. 172 MENTAL CARE-PARENTS' LIABILITY. H-RECALLED FROM COM; H-PLACED ON CALENDAR.
H. 259 DISABLED PERSONS-PARKING.(4/15) H-PASSED 2ND READING.
H. 261 ORANGE BOARD OF EDUCATION. S-REPTD FAV.

- H. 303 SHOPLIFTING ARREST LIABILITY.(3/30, 3/31, 4/13, 4/14)
H-RECALLED FROM COM; S-RECALLED FROM HOUSE; S-RECONSIDERED
3RD READING; S-AMENDMENT WITHDRAWN; S-PLACED ON CAL FOR APR
21.
- H. 382 TO PROVIDE STORAGE LIEN.(4/08, 4/16) S-FLOOR AMEND ADOPTED;
S-PASSED 2ND READING.
- H. 482 REQUIRING EMISSION CONTROL DEVICE.(4/08, 4/15) H-PASSED 2ND
& 3RD READING.
- #H. 489 REPEAL G.S. CHAPTER 3. RATIFIED CH. 202.
- H. 511 WILDCAT PROTECTED. H-PASSED 2ND & 3RD READING.
- #H. 521 NAT'L GUARD-STATE DUTY-MIN. PAY.(4/09) RATIFIED CH. 204.
- H. 538 DRIVER LICENSE REVOCATION-CHASES-2.(4/15, 4/15, 4/16, 4/16)
H-FLOOR AMEND ADOPTED; H-MOTION TO TABLE FAILED; H-FLOOR
AMEND ADOPTED; H-PASSED 2ND READING; H-PLACED ON CAL FOR APR
21.
- H. 561 (J.RES.) MECKLENBURG SCHOOL CASE.(4/06, 4/15) H-LAST ACTION
RECONSIDERED; H-PASSED 3RD READING.
- H. 566 INTER-AMERICAN AND ASIAN DEV. BANKS. H-PASSED 3RD READING.
- #H. 695 (J.RES.) ALAMANCE 'REGULATORS'. RATIFIED RES. 47.
- #H. 704 (J.RES.) HONORING 'GOOD NEWS SINGERS'. RATIFIED RES. 48.
- #H. 713 (J.RES.) MEMORIALIZING CAFFEY. RATIFIED RES. 49.

LOCAL BILLS

- S. 306 (GUILFORD) BD OF EDUCATION-HIGH POINT. S-REPTD FAV.
- S. 319 (DAVIE) SALISBURY SCHOOL BOARD TERM. S-REPTD FAV.
- S. 331 (DAVIE) SCHOOL PROPERTY TRANSFER. S-REPTD FAV.
- #S. 384 (WILSON) AUTHORITY TO ORDER AUTOPSIES. S-POSTPONED INDEF.
- S. 401 (HALIFAX) ROANOKE RAPIDS SCHOOL TAX. S-PASSED 3RD READING.
- S. 407 (MARTIN) BD OF EDUCATION ELECTION. S-REPTD FAV AS AMENDED.
- H. 135 (DARE) DARE ED. BD. LAND TRANSFER. S-REPTD FAV.
- H. 252 (BEAUFORT) BEAUFORT-EDUCATION BOARD. S-REPTD FAV.
- H. 269 (ROCKINGHAM) ROCKINGHAM ED. BD. PAY. S-REPTD FAV.
- H. 331 (ROBESON) FAIRMONT SCHOOL BOARD ELECTION. S-REPTD FAV.
- H. 412 (MOORE) PINEBLUFF PROPERTY CONVEYANCE. S-REPTD FAV.
- H. 471 (ROBESON) SCHOOL MERGER ELECTION. S-REPTD FAV.
- H. 485 (GREENE) SCHOOL BD ELECTION-1. S-REPTD FAV.
- H. 486 (LENOIR) SCHOOL BD ELECTION-2. S-REPTD FAV.
- #H. 495 (IREDELL) DEFRAUDING AMBULANCE SERVICE. RATIFIED CH. 203.
- H. 520 (NEW HANOVER) BOARD OF EDUCATION-PAY. S-REPTD FAV.
- H. 565 (CARTERET) TRAPPING LAW. S-PASSED 2ND & 3RD READING.
- H. 571 (NASH) NASHVILLE TOWN LIMITS. S-REPTD FAV.
- H. 586 (ALAMANCE) HUNTING ON ROADS,HIWAYS. S-PASSED 2ND & 3RD
READING.
- H. 592 (WILSON) AUTHORITY TO ORDER AUTOPSIES.(4/09) S-PASSED 2ND &
3RD READING.
- H. 597 (MONTGOMERY) BISCOE STREET & SEWER CONNECTIONS. H-PASSED 2ND
READING.
- H. 601 (DAVIE) MOCKSVILLE POLICE JURISDICTION-1 MI. H-PASSED 2ND &
3RD READING.

- H. 602 (IREDELL) STATESVILLE-IREDELL CIVIC CENTER. H-PASSED 2ND READING.
- H. 603 (HALIFAX) COMMUNITY HOSPITAL TAX.(4/16) H-COM AMEND ADOPTED; H-PASSED 2ND READING.
- H. 607 (CHEROKEE) BD COMM'RS ELECTION DISTRICTS. H-PASSED 2ND & 3RD READING.
- H. 608 (HAYWOOD) COUNTY HOSPITAL TREASURER. H-PASSED 2ND & 3RD READING.
- H. 609 (ALAMANCE) BURLINGTON-ALAMANCE AIRPORT AUTHORI. H-PASSED 2ND READING.
- H. 611 (HARNETT) SURVEYORS' REGISTRATION.(4/16) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 612 (MECKLENBURG) PRIVATE USE OF PUBLIC VEHICLES. H-PASSED 2ND & 3RD READING.
- H. 615 (JOHNSTON) GARBAGE COLLECTION REGULATION. H-PASSED 2ND & 3RD READING.
- H. 618 (CRAVEN) TRENT WOODS TAXING POWER.(4/16) H-COM AMEND ADOPTED; H-PASSED 2ND READING.
- H. 622 (IREDELL) STATESVILLE,MOORESVILLE POLICE. H-PASSED 2ND & 3RD READING.
- H. 623 (DUPLIN) WARSAW POLICE JURISDICTION. H-PASSED 2ND & 3RD READING.
- H. 628 (CRAVEN) RESTRICTING HUNTING AREA. H-PASSED 2ND & 3RD READING.
- H. 634 (JOHNSTON) OFFICE OF TREASURER ABOLISHED. H-PASSED 2ND & 3RD READING.
- H. 635 (MOORE) MIXED DRINKS-ELECTION. H-REPTD FAV AS AMENDED.
- H. 638 (BRUNSWICK) TAX LISTING REGULATIONS. H-PASSED 2ND READING.
- H. 640 (CLEVELAND) STREET IMPROVEMENT-SHELBY.(4/16) H-COM AMEND ADOPTED; H-PASSED 2ND READING.
- H. 642 (STANLY) COUNTY HOME-SALE.(4/16) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 645 (GASTON) RURAL POLICE DEP'T. H-PASSED 2ND & 3RD READING.
- H. 646 (PENDER) TOPSAIL BEACH,SURF CITY POLICE. H-PASSED 2ND & 3RD READING.
- H. 647 (MARTIN) MORE MAGISTRATES. S-REC FROM HOUSE; S-REF TO COM ON COURTS.
- H. 660 (HYDE) HUNTING FROM HIGHWAYS. H-PASSED 2ND & 3RD READING.
- H. 674 (DUPLIN, PENDER) HUNTING SEASON.(4/15) H-PASSED 2ND & 3RD READING.
- H. 677 (JACKSON, TRANSYLVANIA) HUNTING WILD HOGS. H-PASSED 2ND & 3RD READING.
- H. 696 (BERTIE) CONTROLLING SWINE. H-PASSED 2ND & 3RD READING.

Next Sessions of Senate and House: 9:00 a.m.. Saturday, April 17, 1971;
8:00 p.m., Monday, April 19, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 69

-535-

MONDAY, APRIL 19, 1971

Note: The Senate and House convened at 9:00 a.m. on Saturday, April 17, 1971, for consideration of local bills only. No bills were introduced and no calendar action was taken in either Chamber.

PUBLIC BILLS INTRODUCED

SENATE

S 450 18 year old vote-referendum date
Introducers: Alley and others

GS 163
Sent to CONSTITUTION

"With respect to the date of the election on pending amendments to the Constitution of North Carolina." Amends Ch. 201, SL 1971 (H 2, digested in Bulletin No. 1, p. 5; Committee substitute digested in Bulletin No. 46, p. 333) to provide that in the event US Const'l Amendment providing for 18-yr. old vote is certified as adopted not later than Sept. 1, 1971, NC const'l amendment on 18-yr. vote shall be voted upon at general election Nov. 7, 1972, rather than Nov. 2, 1971. Provides amendment to take effect Jan. 1 next after its ratification by qualified voters of State (Now, Jan. 1, 1972).

S 451 Sanitation of farm labor camps
Introducer: Alley

GS 106, 130
Sent to AGRICULTURE

"Amending Article 13A of Chapter 130 of the General Statutes relating to the sanitation of agricultural labor camps so as to improve the public health and safety of seasonal agricultural workers." Revises various sections of GS Ch. 130, Art. 13A (sanitary conditions for agricultural labor camps). Removes limitation that Article applies only to camps housing ten or more workers. Generally calls for stricter requirements, by requiring camp to be in area not subject to health or safety hazards and to have recreational space, by requiring water outlets to have adequate drainage, by prohibiting use of common drinking cups, by requiring more toilets (one for each 15 users rather than one per 20), and directing that they be lighted and ventilated and clean and not be located within 50 feet of food handling areas. Also adds requirements that bathing and handwashing facilities be located within 200 feet of each housing unit, that adequate laundry facilities be provided, that housing meet certain requirements of ceiling height and floor space per user (50 sq. ft. per user for sleeping area with single beds, for example) and that the housing be adequately screened and have locks and fire precautions. Requires one electrical outlet per room (now, per unit), adequate lighting for common areas, heating equipment if temperature falls below 68 degrees, sanitary facilities if cooking allowed in units, and particular sized containers for garbage disposal. Effective Jan. 1, 1972.

S 452 Protect the panther
Introducers: Bailey and Coggins

GS 113
Sent to WILDLIFE

"To protect North American panthers." Adds to GS 113-102(d) prohibition against taking North American panthers (cougars) at any time.



HOUSE

H 746 Deer hunting, Gates County
Introducer: Culpepper, by request

GS 113
Sent to WILDLIFE

"Restricting the hunting of deer from public roads in Gates County."

Makes it unlawful to hunt, take or kill game from any public road or highway where such road or highway adjoins land which is "posted according to law" unless person has secured and has in his possession prior written permission of owner or lessor of posted land to hunt on such land. Requires NC and local law enforcement officers to enforce provisions. Effective July 1, 1971, and applicable only to Gates County.

H 747 Assault law rewrite-2
Introducers: Smith and others

GS 14
Sent to JUDIC 2

"To amend the Assault laws." Substantially identical to S 201 digested in Bulletin No. 35, p. 243, except omits general repealer clause.

H 749 Dismal Swamp Park funds
Introducer: Culpepper

APPROPRIATION, GS 113
Sent to APPROPRN

"Appropriating funds to the Department of Conservation and Development for the purchase of lands to establish the Dismal Swamp State Park." Appropriates \$955,875 from General Fund to purchase Dismal Swamp and enough surrounding land to establish State Park at Dismal Swamp in Camden County. Effective July 1, 1971.

H 750 Animal quarantine procedures
Introducers: Speed and others

GS 106, 130
Sent to AGRICULT

"To rewrite G.S. 106-401 pertaining to the quarantine of diseased livestock and other animals." Adds to GS 106-401 provision that State Veterinarian or his authorized agent may enter upon any property in NC or stop any car on public or private road to examine any animal which he has reasonable grounds to believe is affected with or exposed to a contagious disease. Amends provision that notice of quarantine not be cancelled until sick "and dead" animals are removed from posted premises by substituting for quoted language the words, "or diseased."

H 751 Feeding garbage to swine
Introducers: Speed and others

GS 106, 130
Sent to AGRICULT

"To amend part 10 of Article 34 of Chapter 106 of the General Statutes relating to the feeding of garbage to swine." Amends GS 106-405.2(a) providing garbage permits to be issued for one year, renewable on date of expiration. Adds new GS 106-405.7(c) providing that operator, manager, or person in charge of restaurant, cafe, boarding house, school, hospital, or other public or private place where food is served to persons other than members of immediate family or non-paying guests shall not permit garbage to be removed unless remover has valid garbage feeding permit issued by Dep't of Agriculture or certificate from County Dep't of Health, or is employee of municipality engaged in regular collection of garbage. Requires report of name and address or license number of vehicle of person removing garbage in violation of Article to State Veterinarian within 5 days after first removal. Provides enforcement is sole responsibility of Dep't of Agriculture. Effective July 1, 1971.

H 752 Dead domestic animals disposition
Introducers: Speed and others

GS 106, 130
Sent to AGRICULT

"To rewrite G.S. 106-403 pertaining to the disposition of dead domesticated animals." Rewrites GS 106-403 to make it apply to owners of domesticated animals

(now, any animals or fowl) but defines "animal" to include poultry. Adds provision making it unlawful to bury dead domesticated animals closer than 300 feet to any flowing stream or public body of water. Deletes from present statute optional requirement that owner of dead animals shall, in lieu of burial, burn completely dead animals. Adds provision imposing obligation on the county, city or town where dead domestic animal is located to dispose of it if owner cannot be determined, subject to recovery of cost from owner if later located. Effective July 1, 1971.

LOCAL BILLS INTRODUCED

SENATE

S 448 Thomasville city limits (Iden. H 743) DAVIDSON
Introducers: Saunders and Deane Sent to LOC GOVT

"To amend the Charter of the City of Thomasville by defining the corporate limits of the City to include the areas annexed prior to December 31, 1970."
Identical to H 743, digested in Bulletin No. 68, p. 529.

S 449 High Pt. police pensions GUILFORD
Introducer: Murrow Sent to LOC GOVT

"To amend Chapter 496 of the 1955 Session Laws, as amended, relating to pension fund for the retirement and disability of members of the police department of the City of High Point." Amends Ch. 496, SL 1955 as amended (High Point policemen retirement fund) to: (1) allow beginning July 1971 a 5% monthly deduction for salaries up to \$5,600 and a 6% deduction for salaries above that (now, 3% limit); (2) remove maximum retirement pay of \$5 per mo. for each year of full-time service and to allow in 1971 and each 5 years thereafter an actuarial study as to the highest amounts that can be paid from fund; (3) set maximum payments of \$100 per month for disability (now, \$75 per mo. for first year and \$50 per mo. thereafter); and (4) substitute the chairman of the Law and Public Safety Committee of the City Council for the Judge of the High Point Municipal Court on the Board of Examiners of the fund. Effective July 1, 1971.

HOUSE

H 745 Kannapolis firemen retirement CABARRUS
Introducer: Quinn Sent to LOC GOVT

"To provide a supplemental retirement fund for firemen of Kannapolis and to modify the application of G.S. 118-5, 118-6, and 118-7 to Kannapolis." Directs Board of Trustees of Local Fireman's Relief Fund of Kannapolis to establish and maintain separate Fireman's Supplemental Retirement Fund, and, notwithstanding the limitation of GS 118-7, to make specified transfers of funds from Local Relief Fund to Supplemental Retirement Fund. Provides that fireman retiring on or after Jan. 1, 1972, with minimum of 30 years' service as fireman, to receive annual supplement of \$1.00 for each month served, if funds available. Provides for disability benefits for those with 20 years' service.

H 748 Fairmont comm'rs' terms ROBESON
Introducers: J. Johnson, Speros and Odum Sent to LOC GOVT

"To increase the term of office of the members of the Board of Commissioners of the Town of Fairmont." Provides for 3-year term of office of comm'rs elected in 1971, and for subsequently elected comm'rs to serve 4-yr. term.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 110 Extend limited driving permits (original bill digested in Bulletin No. 19, p. 123; amendment adopted 3/3/71 digested in Bulletin No. 36, p. 256). Conference Committee report adopted in both houses 4/19/71 recedes from House amendment previously adopted and digested in Bulletin No. 26, p. 256.

S 117 Mental care-parents' liability (original bill digested in Bulletin No. 20, p. 129).

Amendment adopted in House 4/19/71 provide that Act "is" ("is not" in original bill) intended to relieve parents of liability for charges accrued prior to ratification for treatment, care, and maintenance of natural or adoptive child at facilities owned or operated by NC Dept. of Mental Health.

S 407 (Martin County) Bd of education election (original bill digested in Bulletin No. 63, p. 480).

Technical amendment adopted in Senate 4/19/71.

HOUSE BILLS

H 259 Disabled persons-parking (digested in Bulletin No. 27, p. 181; Committee Substitute adopted 4/15/71 digested in Bulletin No. 67, p. 520). Amendment adopted in House 4/19/71 adds "tow away zones" to places where act is inapplicable.

H 570 County soc. serv. bd. members (digested in Bulletin No. 58, p. 422). Amendment adopted in House 4/19/71 makes act effective upon ratification rather than on July 1, 1971.

H 635 (Moore County) Mixed drinks - election (original bill digested in Bulletin No. 62, p. 468)

Amendments adopted in House 4/19/71 make following changes: changes definition of "voting unit" by deleting provision that "voting unit" means "two or more of (the) townships (of Mineral Springs, McNeill, Sandhill and Little River) each one of which is contiguous to at least one of the others", so that "voting unit" now means the named townships. Provides that subsequent elections on mixed drinks in said townships may not be held within one year after first election (originally, three years). Requires licensee who purchases alcoholic beverages in miniature bottles to pay to selling ABC store tax of 10¢ per bottle in addition to total price otherwise due (under original bill, only requirement was additional sum of \$5.00 per gallon); provides that miniature price and 10¢ levy not to be subject to any tax levied under GS Ch. 18.

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 110 EXTEND LIMITED DRIVING PERMITS.(3/03) S-CONF REPORT ADOPTED.
S. 117 MENTAL CARE-PARENTS' LIABILITY. H-PASSED 2ND & 3RD READING.
S. 214 DRIVER LICENSE REVOCATION-PATIENTS.(4/01, 4/12) S-CONCURRED IN H AMEND.
S. 275 SALE OF UNCLAIMED VEHICLES.(4/16) S-PLACED ON CAL APR. 20.
#S. 303 GENERAL ASSEMBLY SESSIONS. S-FAILED 2ND READING.
S. 413 STATE HISTORY IN PUBLIC SCHOOLS. S-PASSED 2ND & 3RD READING.

H. 121 NEW ELECTION TIE-BREAKER.(3/19, 4/16) H-REC FROM SENATE; H-PLACED ON CAL.
H. 172 MENTAL CARE-PARENTS' LIABILITY. H-POSTPONED TO APRIL 20.
H. 259 DISABLED PERSONS-PARKING.(4/15) H-COM AMEND ADOPTED; H-PASSED 3RD READING.
H. 261 ORANGE BOARD OF EDUCATION. S-RE-REF COM ON EDUCATN.
H. 382 TO PROVIDE STORAGE LIEN.(4/08, 4/16) S-RE-REF COM ON JUDIC 2.
H. 466 REGIONAL JAIL OPERATIONS.(4/05) S-REPTD FAV.
H. 482 REQUIRING EMISSION CONTROL DEVICE.(4/08, 4/15) S-REC FROM HOUSE; S-REF TO COM ON CONS&DEV.
H. 511 WILDCAT PROTECTED. S-REC FROM HOUSE; S-REF TO COM ON WILDLIFE.
H. 566 INTER-AMERICAN AND ASIAN DEV. BANKS. S-REC FROM HOUSE; S-REF TO COM ON INSUR.
H. 570 COUNTY SOC. SERV. BD. MEMBERS. H-COM AMEND ADOPTED; H-PASSED 2ND READING; H-PASSED 3RD READING.
H. 576 ARMED GANG OF DETECTIVES. H-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 306 (GUILFORD) BD OF EDUCATION-HIGH POINT. S-PASSED 2ND & 3RD READING.
S. 319 (DAVIE) SALISBURY SCHOOL BOARD TERM. S-PASSED 2ND & 3RD READING.
S. 331 (DAVIE) SCHOOL PROPERTY TRANSFER. S-PASSED 2ND & 3RD READING.
S. 373 (NASH) NASHVILLE TOWN LIMITS. S-PLACED ON CAL APR. 20.
S. 401 (HALIFAX) ROANOKE RAPIDS SCHOOL TAX. H-REC FROM SENATE; H-REF TO COM ON FINANCE.
S. 407 (MARTIN) BD OF EDUCATION ELECTION.(4/19) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
S. 410 (DURHAM, WAKE) RDU AIRPORT BONDS. S-REPTD FAV.

- S. 414 (HAYWOOD) COUNTY MANAGER REFERENDUM. S-REPTD FAV AS AMENDED.
- S. 423 (MECKLENBURG) CORNELIUS CHARTER REVISION. S-REPTD FAV.
- S. 427 (SAMPSON) CLINTON FIREMEN'S RETIREMENT. S-REPTD FAV.

- H. 135 (DARE) DARE ED. BD. LAND TRANSFER. S-PASSED 2ND & 3RD READING.
- H. 252 (BEAUFORT) BEAUFORT-EDUCATION BOARD. S-PASSED 2ND & 3RD READING.
- H. 269 (ROCKINGHAM) ROCKINGHAM ED. BD. PAY. S-PASSED 2ND & 3RD READING.
- H. 331 (ROBESON) FAIRMONT SCHOOL BOARD ELECTION. S-PASSED 2ND & 3RD READING.
- H. 412 (MOORE) PINEBLUFF PROPERTY CONVEYANCE. S-PASSED 2ND & 3RD READING.
- H. 462 (ORANGE) CHAPEL HILL ASSESSMENTS.(4/09) S-REPTD FAV.
- H. 471 (ROBESON) SCHOOL MERGER ELECTION. S-PASSED 2ND & 3RD READING.
- H. 472 (MECKLENBURG) FREEING CHARLOTTE POLICE CARS. S-REPTD FAV.
- H. 485 (GREENE) SCHOOL BD ELECTION-1. S-PASSED 2ND & 3RD READING.
- H. 486 (LENOIR) SCHOOL BD ELECTION-2. S-PASSED 2ND & 3RD READING.
- H. 493 (CARTERET) LEGALIZING BINGO.(4/07) S-REPTD FAV.
- H. 520 (NEW HANOVER) BOARD OF EDUCATION-PAY. S-PASSED 2ND & 3RD READING.
- H. 536 (NEW HANOVER) CITY-COUNTY CONSOLIDATION VOTE.(4/09) S-REPTD FAV.
- H. 540 (BEAUFORT) WASHINGTON BICENTENNIAL FUNDS. S-REPTD FAV.
- #H. 565 (CARTERET) TRAPPING LAW. RATIFIED CH. 205.
- H. 571 (NASH) NASHVILLE TOWN LIMITS. S-PASSED 2ND READING.
- H. 585 (ALAMANCE) BAIL BONDSMEN. S-REPTD FAV.
- #H. 586 (ALAMANCE) HUNTING ON ROADS,HIWAYS. RATIFIED CH. 206.
- H. 587 (STOKES) CORPORATE LIMITS-TOWN OF KING. S-REPTD FAV.
- #H. 592 (WILSON) AUTHORITY TO ORDER AUTOPSIES.(4/09) RATIFIED CH. 207.
- H. 597 (MONTGOMERY) BISCOE STREET & SEWER CONNECTIONS. H-PASSED 3RD READING.
- H. 601 (DAVIE) MOCKSVILLE POLICE JURISDICTION-1 MI. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 602 (IREDELL) STATESVILLE-IREDELL CIVIC CENTER. H-PASSED 3RD READING.
- H. 603 (HALIFAX) COMMUNITY HOSPITAL TAX.(4/16) H-PASSED 3RD READING.
- H. 607 (CHEROKEE) BD COMM'RS ELECTION DISTRICTS. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 608 (HAYWOOD) COUNTY HOSPITAL TREASURER. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 609 (ALAMANCE) BURLINGTON-ALAMANCE AIRPORT AUTHORI. H-PASSED 3RD READING.
- H. 611 (HARNETT) SURVEYORS' REGISTRATION.(4/16) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 612 (MECKLENBURG) PRIVATE USE OF PUBLIC VEHICLES. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 615 (JOHNSTON) GARBAGE COLLECTION REGULATION. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

- H. 618 (CRAVEN) TRENT WOODS TAXING POWER.(4/16) H-PASSED 3RD READING.
- H. 622 (IREDELL) STATESVILLE,MOORESVILLE POLICE. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 623 (DUPLIN) WARSAW POLICE JURISDICTION. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 628 (CRAVEN) RESTRICTING HUNTING AREA. S-REC FROM HOUSE; S-REF TO COM ON WILDLIFE.
- H. 634 (JOHNSTON) OFFICE OF TREASURER ABOLISHED. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 635 (MOORE) MIXED DRINKS-ELECTION.(4/19, 4/19) H-COM AMENDS ADOPTED; H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING.
- H. 638 (BRUNSWICK) TAX LISTING REGULATIONS. H-PASSED 3RD READING.
- H. 640 (CLEVELAND) STREET IMPROVEMENT-SHELBY.(4/16) H-PASSED 3RD READING.
- H. 642 (STANLY) COUNTY HOME-SALE.(4/16) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 645 (GASTON) RURAL POLICE DEP'T. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 646 (PENDER) TOPSAIL BEACH,SURF CITY POLICE. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 660 (HYDE) HUNTING FROM HIGHWAYS. S-REC FROM HOUSE; S-REF TO COM ON WILDLIFE.
- H. 674 (DUPLIN, PENDER) HUNTING SEASON.(4/15) S-REC FROM HOUSE; S-REF TO COM ON WILDLIFE.
- H. 677 (JACKSON, TRANSYLVANIA) HUNTING WILD HOGS. S-REC FROM HOUSE; S-REF TO COM ON WILDLIFE.
- H. 696 (B H. 696 (BERTIE) CONTROLLING SWINE. S-REC FROM HOUSE; S-REF TO COM ON WILDLIFE.

Next Sessions of Senate and House: 12 noon, Tuesday, April 20, 1971.

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DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 70

-543-

TUESDAY, APRIL 20, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 453 Criminal Justice Academy (Iden. H 759)
Introducer: Strickland

GS 143
Sent to CORRECTN

"To establish the North Carolina Criminal Justice Academy." Identical with H 759, digested in House section of today's Bulletin.

S 454 End compuls. auto liab. insur.
Introducer: Combs

GS 20
Sent to INSUR

"To revise Article 13 of the General Statutes of North Carolina to eliminate compulsory auto liability insurance and to regulate cancellation of auto liability policies by insurer." Adds new GS 20-309(f) making provisions of section (financial responsibility as prerequisite to auto registration) inapplicable to any person owning, maintaining or operating uninsured motor vehicle if at time of registration applicant pays \$50.00 to Dep't of Motor Vehicles, in addition to other required fees. Defines uninsured motor vehicle as vehicle not covered by auto liability policy at time of registration, or vehicle not covered by a financial security bond or deposit or by qualification as self-insurer. Requires payment of all fees collected by DMV into State Treasury to be held in Uninsured Motorist Fund and to be disbursed as provided by law, after expenses of administration.

Rewrites GS 20-310, 20-311 and 20-313 to provide that no insurer may cancel or refuse to renew an auto insurance policy solely because of insured's age, sex, residence, race, color, creed, national origin, ancestry, marital status or lawful occupation (including military service). Does not require insurer to renew policy where insured's occupation has changed so as to materially increase risk. Defines "policy" as contract for bodily injury or property damage covering liability arising from ownership, maintenance or use of 4-wheeled auto not used for public or livery conveyance and not rented to others, or other 4-wheeled auto with load capacity of less than 1500 pounds not used in business or for public livery conveyance or for rental to others. Specifies conditions for which insurer may cancel policy, including, for example, a policy obtained through material misrepresentation; violation of any of the material terms or conditions of the policy by the insured; insured's loss of his driver's license through suspension or revocation, or if insured should become subject to any physical or mental condition which impairs his ability to operate a motor vehicle; or, insured's conviction or plea of nolo contendere or bond forfeiture for any felony involving a motor vehicle, any homicide arising out of the operation of a motor vehicle, or operation of a motor vehicle under the influence of alcohol; or other causes listed in bill. Specifies manner in which insurer must give policyholder notice of cancellation or refusal to renew. Not applicable if (a) insurer has manifested willingness to renew by issuing or offering to issue renewal policy or other means, (b) insured has notified insurer he wishes policy cancelled or not renewed,



or (c) policy has been in effect less than 60 days (unless a renewal policy). Absolves insurer from liability for making statements in compliance with or providing information pertaining to bill. Authorizes insured who is notified by insurer of cancellation or intention not to renew (within 10 days) to request in writing review of action by Insur. Comm'r. Requires Comm'r to hold hearing, make findings of fact, and either approve policy's termination or order insurer to re-issue policy. Allows appeal from Comm'r's decision by aggrieved party to Wake Co. Superior Court; policy to remain in effect during pendency or review (unless termination was for nonpayment). Requires insurers to keep records of all refusals to renew or cancellations, and to send Comm'r copy of notices of cancellation or notice not to renew. Does not require insurers to renew policy if (a) insured does not conform to occupational or membership requirement of insurer who limits its writings to occupation or membership of an organization, or (b) insured ceases to be NC resident.

Rewrites GS 20-311 (revocation) to require DMV to revoke owner's registration plate upon receipt of evidence that financial responsibility not in effect and \$50.00 uninsured motorist fee was not paid. Allows re-registration after 60 days from revocation if fees paid for new registration plate. As of July 1, 1973, makes operation of auto without financial responsibility or payment of \$50.00 fee misdemeanor punishable by fine or imprisonment in court's discretion. Effective January 1, 1972 and applicable to policies written or renewed thereafter.

S 455 Auto liab. insur. revision
Introducer: Combs

GS 20
Sent to INSUR

"To amend Section 279.21 of Chapter 20 of the General Statutes of North Carolina relating to revising statutory 'motor vehicle liability policy'." (1) Rewrites GS 20-279.21, effective 1/1/72 and applicable only to policies and renewals issued thereafter. Carries forward generally the following portions of section: paragraphs (1) and (2) of subsection (b); subsections (c) through (e); and subsections (g) through (k). (2) Amends definition of "motor vehicle liability policy" in subsection (a) to mean an owner's or operator's policy which can be certified as provided in GS 20-279.19 as proof of financial responsibility. Adds sentence providing that a "motor vehicle liability policy" means any policy of insurance delivered or issued for delivery in NC, to or for benefit of named insured, insuring against loss from liability imposed by law for ownership, maintenance and use of motor vehicle registered or principally garaged in NC. (3) Eliminates present provision of paragraph (3) of subsection (c) concerning uninsured motorists' coverage in policies of bodily liability insurance. Adds provision that no policy of motor vehicle liability insurance shall be delivered in NC on an NC registered or garaged vehicle unless it contains an uninsured motorist endorsement within limits no less than set by GS 20-279.5; endorsement to provide for no less than \$5,000 single-accident property damage coverage, subject to \$200 deductible. (4) Adds definitions of "bodily injury" (to include death) and "insured" (to include resident spouse and relatives and persons using vehicle with express or implied consent and guests). In definition of "uninsured motor vehicle" eliminates exclusion of a motor vehicle owned by named insured, adds qualification that government vehicle is excluded if operated in course and scope of employment, and makes clarifying changes in exclusions of land motor vehicles. (5) Generally carries forward subsection (f), except deletes proviso that paragraph (1) of subsection (f) shall not apply where assigned risk insured has made timely delivery of copy of pleadings to his carrier. (6) Adds provision that insured may limit liability to extent of reducing liability by any amount previously obtained by insured by judgment or settlement of tort claim arising out of same transaction, as specified, and be entitled to proceeds of settlements or judgments from exercise of right of recovery against tortfeasor. (7) Adds provision that no endorsement or provision of policy shall contain compulsory arbitration provision, nor restrict insured from employing legal counsel or instituting legal proceedings.

S 456 Uninsured Motorist Fund
Introducer: Combs

GS 20
Sent to INSUR

"To amend Article 9A of the General Statutes of North Carolina relating to administration of a proposed Uninsured Motorist Fund." Adds new Section GS 20-279.21A, providing that Fund shall be supervised and controlled by Comm'r of Motor Vehicles and disbursed on his authority for purpose of reducing costs of motor vehicle liability insurance. Requires Comm'r to distribute annually from Fund to insurers writing motor vehicle liability insurance in NC in proportion that premium income at minimum basic limits (gross premiums less cancellation and return premiums) for coverage required by GS 20-279.21(d) bears to total of all such premium income for coverage in NC during prior year, but amount shall be paid only to companies maintaining records satisfactory to the Comm'r that will disclose loss experience under such coverage. Empowers Comm'r to issue rules and regulations to carry out intent of proposed bill. Effective January 1, 1972.

S 457 Regulating auto insurance rates
Introducer: Combs

GS 58
Sent to INSUR

"To amend Article 25 of the General Statutes relating to the regulation of automobile insurance rates." Rewrites GS 58-246(1) by including definition of "auto-mobile bodily injury and property damage insurance" for which NC Aut. Rate Admin. Office may issue regulations and fix rates, as follows: "insurance against the loss from liability imposed by law for bodily injury, death, or property damage arising out of the ownership, maintenance, or use of a private passenger automobile and any separately rated insurance coverage heretofore customarily offered as part of the same policy of such liability in NC relating to payment of medical expenses of insureds named or specified in the policy or relating to protection against uninsured motorists." Rewrites GS 58-246(5) to require Compensation Rating and Inspection Bureau to maintain and furnish annually to Insur. Comm'r statistics on income derived by member companies from investment of unearned premium reserves, loss reserves and capital from auto bodily injury and property damage insurance written in NC. (Now, only requires statistics on unearned premium reserves and does not specify type insurance.) Rewrites GS 58-248 enabling Insur. Comm'r to compel production of all records necessary to compile statistics to determine costs, expenses and income from auto bodily injury and property damage insurance written in NC. (Now, Comm'r empowered to compel production of records only to determine "pure cost" and "expense loading of insurance".) Adds new GS 58-248.9 providing insurance rates shall not be "excessive, inadequate, unfairly discriminatory or otherwise not in the public interest." Specifies factors to be considered in determining necessity for rate changes, including loss trend at time of investigation, past and prospective income losses, expenses, costs, underwriting profit margins, dividends, savings and unabsorbed premium deposits returnable by insurers to their policyholders, members or subscribers, investment income from unearned premiums, loss reserves, capital, and all sums distributable to insurers from Uninsured Motorist Fund. Effective January 1, 1972.

S 458 Labeling food expiration date-2
Introducer: Combs

GS 66
Sent to PUB HLTH

"To require that all foods sold for human consumption which are required to be labeled by the federal government to show the date of expiration shall be labeled in such a fashion that the consumer can readily determine such date." Adds new Art. 3A to GS Ch. 66 providing that, after Jan. 1, 1972, all foods sold or offered for sale in NC for human consumption shall not bear on the container or package any date of expiration or any other date unless date is printed by day, month and year. States intent of bill to prohibit coding or disguised dates. Not applicable to foods sold to restaurants, cafes, cafeterias or similar businesses. Makes

violation misdemeanor (\$50.00 maximum fine, every day constituting separate violation). For related bill, see S 292, digested in Bulletin No. 47, p. 337.

S 459 Voter opposition to annexation
Introducer: Combs

GS 160
Sent to JUDIC 1

"To prohibit annexation in municipalities when a majority of the registered voters object." Adds new provision to GS 160-453.2 and 160-453.14 (methods of municipal annexation--upon motion of governing board, no referendum required) prohibiting municipality from annexing if, within 30 days after publication of notice of intent to annex, petition signed by majority of registered voters in area to be annexed is filed with governing body of annexing municipality stating that signers oppose annexation.

S 460 Water, Air Res.-interest conflict
Introducer: Alley

GS 143
Sent to CONS&DEV

"Changing the composition of the North Carolina Board of Water and Air Resources and local and regional air pollution control boards and to eliminate possible conflicts of interest therein." Rewrites GS 143-214(a) to provide that Board of Water and Air Resources consist of one licensed physician, one meteorologist, one person actively connected with State or local board of health, two persons actively connected with agriculture (one must be extension agent, agriculture teacher or researcher), three licensed engineers (who must be engaged in work connected with planning or conservation of water or air resources, planning of water or sewer systems, having experience in industrial water supply and pollution control, or having practical experience in water supply and pollution control problems of municipal government), one person actively connected with fish and wildlife activities, one person knowledgeable in ground water industry, and three members at large who are interested in water and air pollution control. Provides for governor to appoint for six-year staggered terms. Governor to appoint chairman from at large members for period fixed by Governor; and governor to fill vacancies remainder of terms with person of similar experience and qualification. Governor may remove members at any time for gross inefficiency, neglect of duty, malfeasance, misfeasance or nonfeasance in office. No member to be appointed to Board who is employee, officer or representative of any industry or political subdivision (other than member of local health department) which may be affected by this bill or where conflict of interest may result. Adds new 143-215.3(a)(11)h, to provide that no member to be appointed to local or regional air pollution control board who is employee, officer or representative of any industry or political subdivision (other than member of local health department) which may be affected by bill or whose appointment would result in conflict of interest.

S 461 Loan Transfer fee
Introducers: Currie and others

GS 54
Sent to INSUR

"To provide for the payment of charges to be fixed by the Commissioner of Insurance upon the transfer of a loan by a savings and loan association." Adds provision to GS 54-20 (method of reducing loans made by savings and loan associations) authorizing ass'n. bd. of dir. to require that person assuming member's loan shall meet same requirements of ass'n as if loan were original loan. Authorizes bd. of dir. to charge loan assumption fee to person assuming loan in amount approved by Comm'r of Insurance, but not in excess of 1% of principal balance due on loan at time of assumption.

S 462 Faculty optional retirement (Iden. H 754) GS 135
Introducers: Bailey and others Sent to HIGHR ED

"To amend the Teachers' and State Employees' Retirement System Act so as to provide an optional retirement program for faculty members at State institutions of higher learning." Identical with H 754, digested in House section of today's Bulletin.

S 463 Teachers' sick leave-3 (Iden. H 756) GS 115
Introducers: Bailey and others Sent to APPROPN

"To amend G.S. 115-11(13) to provide additional sick leave for all professional personnel employed by public county or city school administrative units." Identical with H 756, digested in House section of today's Bulletin. For related bills see, H 46 and H 216, digested in Bulletin Nos. 6 and 23, pages 35 and 153, respectively.

S 464 Teachers' holidays-2 (Iden. H 757) GS 115
Introducers: Bailey and others Sent to APPROPN

"To amend G.S. 115-11 empowering the State Board of Education to make provisions for vacations and paid holidays for all public school employees." Identical with H 757, digested in House section of today's Bulletin. For related bill, see H 348, digested in Bulletin No. 35, page 247.

S 465 Teacher, NC employee med. benefit (Iden. H 758) GS 135, 115
Introducers: Bailey and others Sent to APPROPN

"To provide for hospital, medical and disability benefits for teachers and State employees." Identical with H 758, digested in House section of today's Bulletin.

S 466 (Joint Resolution) Memorializing W. Kerr Scott MISC RES
Introducers: Allsbrook and Currie Passed three readings
and sent to House

"Commemorating the life and memory of W. Kerr Scott, former Governor and U.S. Senator from North Carolina." As title indicates.

HOUSE

H 753 (Joint Resolution) Memorializing R. C. Godwin MISC RES
Introducers: Barker and others Passed three readings and
sent to Senate

"Honoring the life and memory of Ruffin C. Godwin, a former member of the North Carolina General Assembly." As title indicates.

H 754 Faculty optional retirement (Iden. S 462) GS 135
Introducers: DeBruhl and Mauney Sent to HIGHR ED

"To amend the Teachers' and State Employees' Retirement System Act so as to provide an optional retirement program for faculty members at State institutions of higher education." Authorizes boards of trustees of UNC, of each regional university and of NC School of Arts to adopt between July 1, 1971 and July 1, 1972 optional retirement program underwritten by purchase of annuity contracts for faculty and administrators with rank of instructor or above who are either appointed after July 1, 1971 or who on that date have less than five years membership in System. Benefits of the optional program are payable only by company and not by State. Requires board of trustees to designate company from which contracts to be purchased and to approve form and contents of contracts, and requires board to

contribute same amount it or State would have to contribute under System, with participants also being required to contribute as would under System. Provides eligible employees already employed may, within one year, irrevocably choose to participate in optional program and have accumulated contributions and interest in System transferred. Allows future eligible employees to choose between regular or optional program. Makes election to participate in the optional program irrevocable; failure to choose the optional program deemed choice to remain in regular program. Provides for repurchasing and refunding of contracts when employee leaves with less than five years coverage under optional program. Disallows participation in System while participating in optional program. Effective July 1, 1971.

H 755 NC employee in-service training
Introducers: DeBruhl and Mauney

GS 135
Sent to EDUCATN

"A Joint Resolution relating to in-service training of teachers and State employees." Recognizes value to NC of in-service or professional training programs at all levels and need for their expansion. Declares State policy for all State agencies and institutions to use all available means and to expend funds to extent available for occupational and professional development of teachers, faculty members and State employees.

H 756 Teachers' sick leave-3 (Iden. S 463)
Introducers: DeBruhl and Mauney

APPROPRIATIONS, GS 115
Sent to APPROPNR

"To amend G.S. 115-11(13) to provide additional sick leave for all professional personnel employed by public county or city school administrative units." Rewrites GS 115-11(13) authorizing State Bd. of Ed. to make provisions for sick leave with pay for all personnel employed by county or city school administrative units, provided said personnel earn sick leave at rate established for employees by State Personnel Act. Requires Bd. to issue regulations providing for necessary substitutes for instructional personnel on account of sick leave, to fix pay for substitutes and pay them from funds appropriated to Bd. for this purpose. (Now, sick leave not under Personnel Act, limited to 5 days per term, substitute pay not to exceed 1% of cost of instructional services.) Effective July 1, 1971. (For related bills, see also H 46, digested in Bulletin No. 6, p.35, and H 216, digested in Bulletin No. 23, p.153.)

H 757 Teacher holidays-2 (Iden. S 464)
Introducers: DeBruhl and Mauney

GS 115
Sent to APPROPNR

"To amend G.S. 115-11 empowering the State Board of Education to make provisions for vacations and paid holidays for all public school employees." Adds new subsection to GS 115-11 granting the State Bd. of Ed. authority to provide for paid vacations and holidays for days within regular school year, but requiring that employment terms be 10 months for teachers and 12 months for other professional personnel. Effective July 1, 1971. (For related bills, see also H 348, digested in Bulletin No. 35, p. 247, and bills cited therein.)

H 758 Teacher, NC employee med. benefit (Iden. S 465)
Introducers: DeBruhl and Mauney

GS 135, 115
Sent to APPROPNR

"To provide for hospital, medical and disability benefits for teachers and State employees." Adds new Article 3 to Ch. 135 directing board of trustees of Teachers' and State Employees' Retirement System to establish and operate for teachers and employees a program of hospital and medical care benefits provided either directly or by purchase of contracts and financed by appropriations from Gen'l Assembly. Provides for program of disability salary continuation benefits for those with over one year service. Authorizes bd. to establish advisory committees. Provides that

membership in System is not necessary for rights under bill. Appropriates \$13,575,960 from Gen'l Fund and \$1,967,040 from Highway Fund to System for hospital and medical care benefits for fiscal 1972-73 with proviso that no more than \$10 per month shall be expended for each teacher or employee to provide benefits. Appropriates \$3,525,000 from Gen'l Fund and \$436,000 from Highway Fund-for disability salary continuation for fiscal 1972-73 with \$3 month limitation per beneficiary. Appropriates \$145,000 for fiscal 1971-72 and \$225,000 for fiscal 1972-73 from Gen'l Fund to System to administer benefit programs for those years. Effective July 1, 1971.

H 759 Criminal Justice Academy (Iden. S 453)
Introducer: Falls

GS 143
Sent to CORRECTN

"To establish the North Carolina Criminal Justice Academy." Adds new Art. 36A to Ch. 143 establishing NC Criminal Justice Academy in Dep't of Administration to provide training and education to officers and employees of criminal justice system (defined as State and local law enforcement agencies, police traffic service agencies, and State and local and correctional agencies and jails). Provides Academy shall consist of NC Criminal Justice Training Center at Raleigh and such other training facilities as may be established by Academy's Bd. of Directors, together with other NC public agencies engaged in criminal justice training designated by Bd. as affiliated agencies and institutions. Creates 36-member Bd. of Directors and specifies how positions to be filled. Empowers Bd. to be policy-making body of Academy, to plan and promotedevelopment of comprehensive and coordinated system of training and education for officers and employees of criminal justice system, to operate training center at Raleigh and other facilities, to be able to appoint and remove administrator (with approval of Governor), to approve appointments made by administrator to its professional staff and fix salaries of staff on recommendation of administrator, to establish executive committee and desirable committees and advisory bodies, to advise Gen'l Assembly, Governor and State agencies with respect to criminal justice training and education, to contract with other agencies both public and private to conduct criminal justice training programs and related activities, and to designate public and private agencies with their consent as affiliated agencies of the Academy. Requires administrator to generally administer Academy, to make annual report to Bd., Dir. of Admin., Governor and Gen'l Assembly and provide them with any additional information requested, and to consult with representatives of local criminal justice agencies and plan, organize, staff and conduct instructional programs for local criminal justice agencies.

H 760 Exempt jurors over 65
Introducer: Beatty

GS 9
Sent to COURTS

"To amend Chapter 9 of the General Statutes so as to permit persons sixty-five years of age or over to be excused from jury duty upon their request." Amends GS 9-3 and GS 9-6(d) to permit person 65 years or over to be excused from jury duty by submitting written statement to judge that he is 65 years or over and wishes to be excused from jury duty.

H 763 Credit for prepayment-torts
Introducer: Miller

GS 1
Sent to JUDIC 2

"To provide for credit on judgments of advance or partial payments." Adds new section to GS Ch. 1 permitting insurance carriers to make payments for bodily injuries in motor vehicle collision cases prior to trial and to have that prepayment credited toward final judgment against party on whose behalf payment made. Provides prepayment not to constitute admission of liability or be offered in evidence for that purpose, and that acceptance of payment not to serve as settlement unless so

stated in properly executed settlement agreement. Sets out hearing procedure for establishing the amount of prepayment prior to entry of judgment.

LOCAL BILLS INTRODUCED

SENATE

S 467 Swansboro charter revision
Introducer: Mills

ONSLOW
Sent to LOC GOVT

"To revise and consolidate the charter of the Town of Swansboro and to repeal prior charter acts." Sets out new charter, describing boundaries. Grants general local government powers, provides for election of mayor and four-member bd. of comm'rs (specifying terms, qualifications, filling of vacancies, organization of board, oaths, quorum, and voting). Provides for method of adoption of ordinances, election procedures, appointment and qualifications of town officials (attorney, clerk, accountant, tax collector) and consolidation of functions, custody of money and auditing, police jurisdiction within one mile of corporate limits, sidewalk improvements without petition, and handling of tort claims against town. Continues existing ordinances and resolutions not inconsistent with charter.

S 468 Garbage facilities
Introducer: Mills

ONSLOW
Sent to LOC GOVT

"Authorizing the County Commissioners of Onslow County to exercise the power of eminent domain to acquire land for disposal of garbage." Grants GS Ch. 40 eminent domain powers to Onslow Co. Comm'rs to acquire landfill for garbage disposal.

HOUSE

H 761 ABC election-Black Mountain
Introducers: Stevens and Harkins

BUNCOMBE
Sent to ABC

"Authorizing the establishment of a town liquor control store in the Town of Black Mountain upon a vote of the people and providing for the allocation of the net proceeds from the operation of such store." Authorizes governing body of Town of Black Mountain on own motion (discretionary) or upon receipt of petition signed by 15% of registered voters of municipality (mandatory) to order special election on establishment of ABC stores, notice of election to be given 20 days in advance of opening registration. Provides for subsequent elections (not to be held within 3 years) with provision that if vote is against control store after having previously been voted in, assets are to be sold and cash given to town treasurer within three months. Provides that if stores approved a Black Mountain Board of Alcoholic Control consisting of 3 members and appointed by mayor and governing body of town will be established and will have the powers of GS 18-45. Provides profits to go 75% to Black Mountain (not less than 5% of which must go for recreation) and 25% to Buncombe County. Provides that governing body may establish additional stores in town in its discretion.

H 762 Edgecombe Ed. Bd.
Introducer: Eagles

EDGECOMBE
Sent to EDUCATN

"To provide for the nomination and election of an additional member of the Edgecombe County Board of Education." Provides that Edgecombe Board of Education to consist of 6 members to be elected for four years at primary election of 1972, authorizing present board to appoint sixth member to serve until that election.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 39 Presidential primary election (original bill digested in Bulletin No. 8, p. 47; Senate Committee Substitute adopted 3/30/71 digested in Bulletin No. 55, p. 394; Senate amendments adopted 4/8/71 digested in Bulletin No. 62, p. 472; previous House amendments adopted 4/14/71 digested in Bulletin No. 66, p. 512).

Amendment adopted in House 4/20/71 provides that, if candidate dies or withdraws prior to first ballot at convention (withdrawal requiring written notice to head of NC delegation), any delegate votes allocated to him shall be considered uncommitted (previously, votes apportioned among remaining candidates to which delegation is committed).

S 204 Wildlife protector retirement (digested in Bulletin No. 32, p. 222).

Amendment adopted in Senate 4/20/71 restricts applicability of bill to all wildlife protectors employed after January 1, 1951. (Original bill did not include date.)

S 208 Bear killing penalty (Identical with H 314, digested in Bulletin No. 32, p. 222).

Amendment adopted in Senate 4/20/71 requires agent of Wildlife Resources Comm'n to transport and release bear at location not less than 50 miles from site where trapped. (Original bill did not make transportation mandatory.) Rewrites GS 113-126.1 to make section applicable when bears found in act of destroying or attempting to destroy domestic livestock (now, real or personal property), and deleting last provision of section (authorizes Comm'n to issue permit authorizing owner of property damaged by bears to take reasonable steps to prevent further depredation).

S 222 UNC/Reg. Univ. Bds.-students (digested in Bulletin No. 37, p. 260).

Amendment adopted in Senate 4/20/71 substitutes phrase "other public universities and the School of the Arts" for "Senior colleges" in title of bill.

S 275 Sale of unclaimed vehicles (digested in Bulletin No. 43, p. 309; previous Senate amendment adopted 4/16/71 digested in Bulletin No. 68, p. 529).

Amendment adopted in Senate 4/20/71 provides that escheats to go as provided in Constitution rather than to UNC.

S 414 (Haywood) County manager referendum (Iden. H 668) (digested in Bulletin No. 63, p. 481).

Amendment adopted in Senate 4/20/71 restricts time for election to the same time as any statewide or countywide regular or special election (originally, Board could call special election at any time).

HOUSE BILLS

H 447 Ambulance attendants (digested in Bulletin No. 45, p. 324).

Amendment adopted in House 4/20/71 changes effective date from 7/1/71 to 7/1/72.

H 635 (Moore) Mixed drinks - election (digested in Bulletin No. 62, p. 468; amendments digested in Bulletin No. 69, p. 538).

Amendments adopted in House 4/20/71 require election to be held throughout Moore County, not just in 4 named townships, and make technical amendments.

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 39 PRESIDENTIAL PRIMARY ELECTION.(3/30, 4/08, 4/14, 4/14, 4/20)
 H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING.
 S. 89 FIREMEN'S PENSION AFTER 20 YEARS. S-PASSED 2ND & 3RD READING.
 S. 117 MENTAL CARE-PARENTS' LIABILITY. S-REC TO CONCUR IN H AMEND;
 S-CONCURRED IN H AMEND.
 S. 154 NOTARIES' ACTS VALIDATED.(4/06) S-REPTD FAV.
 #S. 183 INDICTMENT-8 GRAND JURORS. S-REPTD UNFAV.
 #S. 184 DRAWING GRAND JURY. S-REPTD UNFAV.
 #S. 198 12-MEMBER GRAND JURY, CONST. S-REPTD UNFAV.
 S. 204 WILDLIFE PROTECTOR RETIREMENT.(4/20) S-FLOOR AMEND ADOPTED;
 S-PLACED ON CAL FOR APR 27.
 S. 208 BEAR KILLING PENALTY.(4/20) S-FLOOR AMEND ADOPTED; S-PASSED
 3RD READING.
 #S. 214 DRIVER LICENSE REVOCATION-PATIENTS.(4/01, 4/12) RATIFIED CH.
 208.
 S. 222 UNC/REG. UNIV. BDS.-STUDENTS.(4/20) S-COM AMEND ADOPTED;
 S-FLOOR AMEND FAILED; S-PASSED 2ND & 3RD READING.
 S. 275 SALE OF UNCLAIMED VEHICLES.(4/16, 4/20) S-FLOOR AMEND
 ADOPTED; S-PASSED 3RD READING.
 S. 353 POSTING CRIMINAL TRIAL CALENDAR. S-REPTD FAV.
 S. 413 STATE HISTORY IN PUBLIC SCHOOLS. H-REC FROM SENATE; H-REF TO
 COM ON EDUCATION.
 S. 466 (J.RES.) MEMORIALIZING W. KERR SCOTT. S-PASSED 2ND & 3RD
 READING; H-REC FROM SENATE; H-PLACED ON CAL FOR APR 21.
 H. 121 NEW ELECTION TIE-BREAKER.(3/19, 4/16) H-REC TO CONCUR IN S
 AMEND; H-CONCURRED IN S AMEND.
 H. 172 MENTAL CARE-PARENTS' LIABILITY. H-PLACED ON CAL FOR APR 21.
 H. 189 ESTATES-TRANSFER OF AUTOS.(3/04, 4/09) H-REPTD FAV.
 H. 283 NARCOTIC DRUGS-VEHICLE CODE.(4/20) H-REPTD FAV COM
 SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
 H. 284 NON-DISCLOSURE, TAX INFORMATION.(4/13, 4/13) S-REPTD FAV AS
 AMENDED.
 H. 370 REALTY BROKERS-UNEMPLOYMENT INS.. S-REPTD FAV AS AMENDED.
 H. 382 TO PROVIDE STORAGE LIEN.(4/08, 4/16) S-RECALLED FROM COM;
 S-RE-REF COM ON JUDIC 1.
 #H. 447 AMBULANCE ATTENDANTS. H-FAILED 2ND READING.
 H. 457 AID-TO-BLIND ADMINISTRATION. H-REPTD FAV.
 H. 458 AID-TO-BLIND, TECHNICAL CHANGES. H-REPTD FAV.

- H. 466 REGIONAL JAIL OPERATIONS.(4/05) S-PASSED 2ND READING.
- #H. 494 GENERAL ASSEMBLY SESSIONS. H-REPTD UNFAV.
- H. 499 DANGEROUS WEAPONS AT SCHOOLS.(3/31, 4/06) S-REPTD FAV AS AMENDED.
- H. 545 COSMETIC ART EXAMINERS-SALARY. H-REPTD FAV.
- H. 561 (J.RES.) MECKLENBURG SCHOOL CASE.(4/06, 4/15) S-REC FROM HOUSE; S-REF TO COM ON COURTS.
- H. 576 ARMED GANG OF DETECTIVES. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
- H. 655 STATE FISH-RED DRUM. H-REPTD FAV.
- H. 673 SCHOOL BUS OPERATORS CERTIFICATION. H-REPTD FAV.
- H. 753 MEMORIALIZING R.C. GODWIN. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-PLACED ON CAL FOR APR 21.

LOCAL BILLS

- S. 306 (GUILFORD) BD OF EDUCATION-HIGH POINT. H-REC FROM SENATE; H-REF TO COM ON EDUCATN.
- S. 319 (DAVIE) SALISBURY SCHOOL BOARD TERM. H-REC FROM SENATE; H-REF TO COM EDUCATN.
- S. 331 (DAVIE) SCHOOL PROPERTY TRANSFER. H-REC FROM SENATE; H-REF TO COM ON EDUCATN.
- #S. 373 (NASH) NASHVILLE TOWN LIMITS. S-POSTPONED INDEF.
- S. 408 (POLK) 5 GALLONS LIQUOR-TRYON. S-REPTD FAV.
- S. 409 (POLK) TRYON ABC FUNDS. S-REPTD FAV.
- S. 410 (DURHAM, WAKE) RDU AIRPORT BONDS. S-PASSED 2ND READING.
- S. 414 (HAYWOOD) COUNTY MANAGER REFERENDUM.(4/20) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- S. 423 (MECKLENBURG) CORNELIUS CHARTER REVISION. S-PASSED 2ND READING.
- S. 427 (SAMPSON) CLINTON FIREMEN'S RETIREMENT. S-PASSED 2ND & 3RD READING.
- #H. 135 (DARE) DARE ED. BD. LAND TRANSFER. RATIFIED CH 209.
- #H. 252 (BEAUFORT) BEAUFORT-EDUCATION BOARD. RATIFIED CH. 210.
- #H. 269 (ROCKINGHAM) ROCKINGHAM ED. BD. PAY. RATIFIED CH. 211.
- #H. 331 (ROBESON) FAIRMONT SCHOOL BOARD ELECTION. RATIFIED CH. 212.
- #H. 412 (MOORE) PINEBLUFF PROPERTY CONVEYANCE. RATIFIED CH. 213.
- H. 462 (ORANGE) CHAPEL HILL ASSESSMENTS.(4/09) S-PASSED 2ND READING.
- #H. 471 (ROBESON) SCHOOL MERGER ELECTION. RATIFIED CH. 214.
- H. 472 (MECKLENBURG) FREEING CHARLOTTE POLICE CARS. S-PASSED 2ND & 3RD READING.
- #H. 485 (GREENE) SCHOOL BD ELECTION-1. RATIFIED CH. 215.
- #H. 486 (LENOIR) SCHOOL BD ELECTION-2. RATIFIED CH. 216.
- H. 493 (CARTERET) LEGALIZING BINGO.(4/07) S-PASSED 2ND & 3RD READING.
- #H. 520 (NEW HANOVER) BOARD OF EDUCATION-PAY. RATIFIED CH. 217.
- H. 536 (NEW HANOVER) CITY-COUNTY CONSOLIDATION VOTE.(4/09) S-PASSED 2ND & 3RD READING.
- H. 540 (BEAUFORT) WASHINGTON BICENTENNIAL FUNDS. S-PASSED 2ND & 3RD READING.

- H. 571 (NASH) NASHVILLE TOWN LIMITS. S-PASSED 3RD READING.
- H. 585 (ALAMANCE) BAIL BONDSMEN. S-PLACED ON CAL FOR APR 21.
- H. 587 (STOKES) CORPORATE LIMITS-TOWN OF KING. S-PASSED 2ND READING.
- H. 597 (MONTGOMERY) BISCOE STREET & SEWER CONNECTIONS. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 602 (IREDELL) STATESVILLE-IREDELL CIVIC CENTER. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 603 (HALIFAX) COMMUNITY HOSPITAL TAX.(4/16) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 609 (ALAMANCE) BURLINGTON-ALAMANCE AIRPORT AUTHORI. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 618 (CRAVEN) TRENT WOODS TAXING POWER.(4/16) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 635 (MOORE) MIXED DRINKS-ELECTION.(4/19, 4/19, 4/20) H-FLOOR AMENDS ADOPTED; H-FLOOR AMEND FAILED; H-FLOOR AMEND TABLED; H-PASSED 3RD READING.
- H. 638 (BRUNSWICK) TAX LISTING REGULATIONS. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 640 (CLEVELAND) STREET IMPROVEMENT-SHELBY.(4/16) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

Next Session of Senate: 12:00 Noon, Wednesday, April 21, 1971.
Next Session of House : 11:30 a.m., Wednesday, April 21, 1971.



DAILY BULLETIN

The General Assembly of North Carolina

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BULLETIN NO. 71

-557-

WEDNESDAY, APRIL 21, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 469 Savings & loans-maturities
Introducer: Currie

GS 54
Sent to BANKING

"To extend the length of time to pay off loans by members of savings and loan associations." Amends GS 54-20 to provide that maximum maturity date for loans will be set by Comm'r of Insurance but not to exceed 40 years (now, maximum maturity set by statute at 25 years).

HOUSE

H 764 Voting machine funds
Introducers: Gentry and H. Rountree

APPROPRIATION, GS 163
Sent to ELECTION

"To amend G.S. 163-107, so as to establish a perpetual fund for counties to purchase voting machines." Amends GS 163-107(a) to provide the filing fee assessed of candidates for the offices of Governor, Lieutenant Governor, all State executive offices, Supreme Court Justices, Superior Court Judges, District Court Judges, Solicitors, US Senators, US Representatives, and all county and township offices not compensated by fees shall be 2% (now, 1%) of the annual salary of the office sought. Adds new GS 163-107(c) to provide total receipts paid to State Board of Elections by candidates for nomination to all offices for which State Board of Elections is responsible, shall be deposited with State Treasurer in special account. Directs Treasurer to deposit said funds to Contingency and Emergency Fund at end of each fiscal year, and provides that during each fiscal year State Board of Elections shall be granted an appropriation from Fund equal to at least 3 times the amount deposited by State Board of Elections from collection of filing fees during preceding biennium. Provides matching funds administered by State Board of Elections under act to be distributed to several county boards of elections under provisions established by State Board.

H 765 Yeas and nays on spending bills
Introducer: Paschall

GS 120
Sent to RULES

"To require that the yeas and nays be recorded in both houses of the General Assembly on the third reading of any bill which appropriates State funds." Adds new GS 120-20.1 as title indicates. Effective upon ratification and applicable to all laws and resolutions ratified after date of ratification of act.

LOCAL BILLS INTRODUCED

SENATE

None



HOUSE

H 766 Lincolnton Admin. School Unit
Introducer: Leatherman

LINCOLN
Passed three readings and
sent to Senate

"To define the Lincolnton Administrative School Unit and to provide for the election of its Board of Trustees." Creates Lincolnton Administrative School Unit, to consist of area within corporate limits of Lincolnton and such additional territory as defined in act (high school and elementary school boundaries to differ as indicated). Provides governing body of unit to be 5-member board of trustees with powers granted to city admin. units and city boards of education in GS Ch. 115. Sets length of terms of incumbent members and provides for election of new members according to schedule of staggered 4-year terms. Directs board to choose one of its members as chairman and to fill vacancies by appointment.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 94 Clerk Superior Court, GS 2 (digested in Bulletin No. 15, p. 96)
Amendments adopted in Senate 4/21/71 make technical changes, require ass't and deputy clerks to take oath, make requirement of bonds for clerks and persons in that office mandatory rather than discretionary with AOC, and allow clerk to handle insurance proceeds for minors and incapacitated adults on policies paying up to \$5,000 benefits (\$2,000 in original bill).

HOUSE BILLS

H 283 Narcotic drugs-vehicle code (digested in Bulletin No. 30, p. 205)
Committee substitute adopted in House 4/20/71 makes bill applicable to vehicles "upon any highway or any public vehicular area within this State" rather than "within this State" in GS 20-138, -139(a), and -139(b). Makes prohibitions apply to persons under influence of drug which "causes him to lose the normal control of the powers or functions of his body or mind, or both, so that such loss can be estimated or recognized" rather than which "renders him incapable of safely driving a vehicle", in GS 20-139(b) and 20-19(h). Qualifies restriction on defense of legal use of drugs to those not also consuming intoxicating beverage. Deletes specific reference to driveway, roadway, and parking lot in definition of "public vehicular area." Deletes changes to GS 20-17.1(c) and 20-17.1(d). Deletes requirement of GS 20-19(e) that convictions be within this State. Deletes revisions of presumptions in GS 20-139.1(a)

H 284 Non-disclosure, tax information (digested in Bulletin No. 30, p. 205; amendments adopted in House 4/13/71 digested in Bulletin No. 65, p. 500)
Amendment adopted in Senate 4/21/71 makes violation of act a misdemeanor punishable by fine or imprisonment in discretion of court (was misdemeanor punishable by \$500-\$1,000 fine and/or imprisonment in discretion of court).

H 303 Shoplifting arrest liability (Iden. S 175, digested in Bulletin No. 31, p. 209; amendments adopted in House 3/30/71 and 3/31/71 digested in Bulletin No. 55, p. 395 and Bulletin No. 56, p. 404; amendments adopted in Senate 4/13/71 and 4/14/71 digested in Bulletin No. 65, p. 500 and Bulletin No. 66, p. 512; previous reconsideration and withdrawal of Senate amendment 4/16/71 digested in Bulletin No. 68, p. 529)
Senate 4/21/71 reconsidered vote on first Senate amendment (adopted 4/13/71) and allowed withdrawal of that amendment. Amendment had specified that arrest as well as detention was to be made in reasonable manner; effect of today's action is to have language in portion of bill in question refer only to the detention being made in reasonable manner.

- H 370 Realty brokers-unemployment ins. (digested in Bulletin No. 37, p. 263)
Amendment adopted in Senate 4/21/71 restricts application of bill to real estate agents or salesmen who are authorized to exercise independent judgment and control over work as well as being compensated solely by commission.
- H 397 Abolition of capital punishment (digested in Bulletin No. 40, p. 287)
Amendments adopted in House 4/21/71 make technical changes, specify that parole cannot become effective without approval of Governor, and require notice of parole hearing to be published in all newspapers with over 1,000 circulation published in county in which crime occurred (originally only in 3 newspapers with State-wide circulation).
- H 585 Bail bondsmen (digested in Bulletin No. 59, p. 435)
Amendment adopted in Senate 4/21/71 adds Nash to list of counties included under the provisions of GS 85A-34 relating to bail bondsmen and runners.
- H 766 (Lincoln) Lincolnton Admin. School Unit (digested in today's Bulletin)
Amendment adopted in House 4/21/71 changes one road number in a boundary description.

SENATE AND HOUSE

CALENDAR ACTION

APR. 21, 1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 39 PRESIDENTIAL PRIMARY ELECTION.(3/30, 4/08, 4/14, 4/14, 4/20)
S-REC TO CONCUR H AMENDS; S-CONCURRED IN H AMENDS.
S. 89 FIREMEN'S PENSION AFTER 20 YEARS. H-REC FROM SENATE; H-REF
TO COM ON ST PERS.
S. 93 CIVIL PROCEDURE REVISION.(4/01) H-REPTD FAV.
S. 94 CLERK SUPERIOR COURT, GS2.(4/21) S-COM AMEND FAILED; S-COM
AMENDS ADOPTED; S-PASSED 2ND & 3RD READING.
S. 95 COSTS-OF-COURT CHANGES.(4/02) H-REPTD FAV.
#S. 117 MENTAL CARE-PARENTS' LIABILITY. RATIFIED CH. 218.
S. 154 NOTARIES' ACTS VALIDATED.(4/06) S-PLACED ON CAL FOR APR 22.
S. 208 BEAR KILLING PENALTY.(4/20) H-REC FROM SENATE; H-REF TO COM
ON WILDLIFE.
S. 222 UNC/REG. UNIV. BDS.-STUDENTS.(4/20) H-REC FROM SENATE; H-REF
TO COM ON HIGHR ED.
S. 238 WORKMEN'S COMP. BENEFITS INCREASE. H-REPTD FAV.
S. 275 SALE OF UNCLAIMED VEHICLES.(4/16, 4/20) H-REC FROM SENATE;
H-REF TO COM ON JUDIC 2.
S. 280 WORKMEN'S COMP.-RADIATION WORKERS. H-REPTD FAV.
S. 281 WORKMEN'S COMP.-TOTAL DISABILITY. H-REPTD FAV.
S. 337 WORKMEN'S COMP.-EMPLOYEE DEATH-1. H-REPTD FAV.
S. 353 POSTING CRIMINAL TRIAL CALENDAR. S-PASSED 2ND & 3RD READING.
S. 387 CREATING NC MANPOWER COUNCIL. S-REPTD FAV.
S. 419 (J.RES.) CHATTOOGA AS WILD RIVER. S-REPTD FAV.
S. 444 PRICE LIMIT-STATE AUTOS. S-REPTD FAV.
#H. 63 SALES AND USE SURTAX ACT. H-REPTD UNFAV.
#H. 121 NEW ELECTION TIE-BREAKER.(3/19, 4/16) RATIFIED CH. 219.
H. 154 WIDOWER'S TAX EXEMPTION. H-REPTD FAV.
H. 199 PAR BANKING.(4/06, 4/06) S-REPTD FAV.
H. 259 DISABLED PERSONS-PARKING.(4/15) S-REC FROM HOUSE; S-REF TO
COM ON JUDIC 2.
H. 284 NON-DISCLOSURE, TAX INFORMATION.(4/13, 4/13, 4/21) S-COM
AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
H. 303 SHOPLIFTING ARREST LIABILITY.(3/30, 3/31, 4/13, 4/14)
S-RECONSIDERED 2ND READING; S-AMENDMENT WITHDRAWN; S-FLOOR
AMENDS TABLED; S-PASSED 2ND READING.
#H. 329 MIXED DRINK LICENSE FEES. H-REPTD UNFAV.
H. 370 REALTY BROKERS-UNEMPLOYMENT INS..(4/21) S-COM AMEND ADOPTED;
S-PASSED 2ND & 3RD READING.

- #H. 391 FARM LAND VALUATION. H-REPTD UNFAV.
- #H. 397 ABOLITION OF CAPITAL PUNISHMENT.(4/21) H-WITHDRAWN FROM COM;
H-PLACED ON CALENDAR; H-COM AMENDS ADOPTED; H-FAILED 2ND
READING.
- H. 449 SCHOOL BUS STOP CHANGES.(4/09) S-REPTD FAV AS AMENDED.
- H. 455 EMPLOYING MINORS-PHYSICAL EXAM. H-REPTD FAV.
- H. 466 REGIONAL JAIL OPERATIONS.(4/05) H-RECALLED FROM SENATE; H-3RD
READING RECONSIDERED; H-2ND READING RECONSIDERED; H-PLACED
ON CAL.
- H. 499 DANGEROUS WEAPONS AT SCHOOLS.(3/31, 4/06) S-PLACED ON CAL
FOR APR 22.
- #H. 512 TIME OFF TO VOTE. H-REPTD UNFAV.
- #H. 531 FAMILY COURT SERVICES-100,000. H-REPTD UNFAV.
- H. 554 FAMILY COURT SERVICES-73,000. H-REPTD FAV; H-RE-REF TO
APPROPRN.
- H. 557 FOOD INDUSTRIES PROGRAM. H-REPTD FAV; H-RE-REF TO APPROPRN.
- H. 570 COUNTY SOC. SERV. BD. MEMBERS. S-REC FROM HOUSE; S-REF TO
COM ON RESOURCE.
- H. 721 (J.RES.) STUDY SIMPLIFIED STATE TAX RETURN. H-REPTD FAV.
- H. 733 JOB CERT. FOR MINORS BY DOCTORS. H-REPTD FAV.
- H. 753 MEMORIALIZING R.C. GODWIN. S-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 270 (ASHE) WEST JEFFERSON ABC STORES. H-REPTD FAV.
- S. 407 (MARTIN) BD OF EDUCATION ELECTION.(4/19) H-REC FROM SENATE.
- S. 408 (POLK) 5 GALLONS LIQUOR-TRYON. S-PASSED 2ND & 3RD READING.
- S. 409 (POLK) TRYON ABC FUNDS. S-PASSED 2ND & 3RD READING.
- S. 410 (DURHAM, WAKE) RDU AIRPORT BONDS. S-PASSED 3RD READING.
- S. 414 (HAYWOOD) COUNTY MANAGER REFERENDUM.(4/20) H-REC FROM SENATE;
H-REF TO COM ON LOC GOVT.
- S. 423 (MECKLENBURG) CORNELIUS CHARTER REVISION. S-PASSED 3RD
READING.
- S. 427 (SAMPSON) CLINTON FIREMEN'S RETIREMENT. H-REC FROM SENATE;
H-REF TO COM ON LOC GOVT.
- #H. 255 (FORSYTH) WINSTON-SALEM BEER, WINE. H-REPTD UNFAV.
- H. 416 (CLEVELAND) KINGS MTN. FIELD HOUSE CONTRACT. H-REPTD FAV.
- H. 462 (ORANGE) CHAPEL HILL ASSESSMENTS.(4/09) S-PASSED 3RD READING.
- #H. 472 (MECKLENBURG) FREEING CHARLOTTE POLICE CARS. RATIFIED CH.
220.
- #H. 493 (CARTERET) LEGALIZING BINGO.(4/07) RATIFIED CH. 221.
- #H. 536 (NEW HANOVER) CITY-COUNTY CONSOLIDATION VOTE.(4/09) RATIFIED
CH. 222.
- #H. 540 (BEAUFORT) WASHINGTON BICENTENNIAL FUNDS. RATIFIED CH. 223.
- #H. 571 (NASH) NASHVILLE TOWN LIMITS. RATIFIED CH. 224.
- H. 585 (ALAMANCE) BAIL BONDSMEN.(4/21) S-FLOOR AMEND ADOPTED;
S-PASSED 2ND & 3RD READING.
- H. 587 (STOKES) CORPORATE LIMITS-TOWN OF KING. S-PASSED 3RD READING.
- H. 590 (FRANKLIN) YOUNGSVILLE ABC ELECTION. H-REPTD FAV.
- H. 594 (POLK) TRYON SCHOOL BD. APPOINTMENTS. H-REPTD FAV.

- H. 635 (MOORE) MIXED DRINKS-ELECTION.(4/19, 4/19, 4/20) S-REC FROM HOUSE; S-REF TO COM ON ABC.
- H. 641 (MECKLENBURG) MINT HILL ABC PROFITS, H-REPTD FAV.
- H. 643 (ROCKINGHAM) FIVE GALLON LIQUOR-MADISON. H-REPTD FAV.
- H. 678 (DAVIE) MOCKSVILLE ABC REFERENDUM. H-REPTD FAV.
- H. 762 (EDGECOMBE) EDGECOMBE ED. RD.. H-REPTD FAV.
- H. 766 (LINCOLN) LINCOLNTON ADMIN. SCHOOL UNIT. H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING. S-REC FROM HOUSE. S-REF TO COM ON EDUCATION.

Next Session of Senate: 12:00 Noon, Thursday, April 22, 1971.

Next Session of House : 11:30 a.m., Thursday, April 22, 1971.



DAILY BULLETIN

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BULLETIN NO. 72

-565-

THURSDAY, APRIL 22, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 470 Vets' children scholarships
Introducers: Frink and Allen

GS 165
Sent to VETERANS

"To modify the definition of children eligible for scholarships for children of war veterans." Rewrites GS 165-20(3)c (concerning eligibility of adopted child for scholarships for children of veterans) to delete present requirement that adoption had to occur within 10 years of veteran's entry on active duty for the period of war under which child's entitlement to scholarship is being considered.

S 473 Capital crime guilty plea
Introducer: Warren

GS 15
Sent to JUDIC 2

"To repeal Chapter 117, Session Laws 1969, and to reinstate the provisions of former G.S. 162.1." Reinstates GS 15-162.1 (repealed by 1969 General Assembly), to permit any person when charged in bill of indictment with felony of murder in first degree, burglary in first degree, arson or rape when such person is represented by counsel, to tender in writing after arraignment a plea of guilty, signed by accused and his counsel. Empowers court to accept or reject plea--if rejected, trial to be upon defendant's plea of not guilty and written guilty plea to have no legal significance whatever and inadmissible as evidence in subsequent trial. Acceptance of plea has effect of jury verdict of guilty of crime charged, with recommendation by jury in open court for life imprisonment, and court shall pronounce that sentence. Effective on ratification to all criminal cases in which final judgment not yet rendered by Superior Court.

S 474 Forestry aid-exclude Xmas trees
Introducer: Killian

GS 113
Sent to CONS&DEV

"To amend G.S. 113-81.1 so as to exclude ornamental trees and shrubbery and Christmas trees." Amends GS 113-81.1 to prohibit Dep't of Cons. & Dev. from making available forestry services or renting equipment for site preparation, forest planting or cultivation of ornamental trees or shrubbery or Christmas trees.

S 475 State purchases and contracts
Introducers: Futrell and others

GS 143
Sent to ST GOVT

"To rewrite Article 3 of Chapter 143 of the General Statutes relating to purchases and contracts by the State." Generally revises State purchase and contract procedures (GS Ch. 143, Art. 3), including the following changes: GS 143-49. Adds express reference in subdiv. (1) to authority to purchase, lease and lease purchase, and refers to transactions by competitive bidding "or otherwise" as herein provided (adds quoted words). Deletes listing of specific items in subdiv. (3), such as telephone service.



Adds to subdiv. (6) authorization to make available State purchasing services to local gov'ts and their agencies. GS 143-50. Adds reference to contractual services of other agencies as being transferred to Director of Administration. GS 143-52. Increases minimum contract price subject to sealed bid procedure to \$2,500 (now \$2,000). Limits application of sealed bid provisions to cases where competitive bidding is employed. Provides for acceptance of lowest and best bids (now lowest responsible bids); adds to factors to be considered in evaluating bids: "overall the prices offered," general reputation and performance capabilities of bidders, suitability of articles for intended use, personal or related services needed, transportation charges, and date of performance; deletes references to purpose for which articles required and discount for prompt payment. Adds specification that bids be publicly opened, and proviso that trade secrets, test data and proprietary information remain confidential. GS 143-53 (now last paragraph of GS 143-52). Adds to rule-making powers of Advisory Budget Comm'n authority covering: defining contractual services; conditions under which procedures other than competitive bidding may be used, partial or progressive or multiple awards, and under which information may be considered proprietary or confidential; procedures for purchase of used equipment, etc., and for purchases involving two or more levels or agencies. Deletes specific requirement for Board of Award, substituting authority to prescribe the procedures to be followed and designating personnel for canvass and award procedures. Provides authority to prescribe procedures (as well as items and quantities) governing acquisition of goods and services that may be delegated to departments, agencies and institutions (now: "to be purchased locally"). Authorizes regulations concerning rejection of bids in whole or in part (now, rejection of all bids). Requires that all regulations be submitted to Attorney General prior to adoption for his opinion as to legal effect, and provides that regulations to be effective upon filing with Secretary of State. GS 143-56 (now GS 143-54). Deletes express reference to technical instruments, supplies and books as cases where purchase through Director of Admin. is not mandatory; provides for purchase of articles covered by section to be based on competitive bids (now specifies at least three bids). GS 143-57 (now GS 143-55). Substitutes for present requirement of report to Advisory Budget Comm'n and entry in its minutes of emergency purchases, a provision for making prompt record thereof. GS 143-58 (now GS 143-56). Makes sanctions of this section applicable to local purchases through Director of Administration. GS 143-59 (now GS 143-57). Makes preference for in-state purchases apply specifically to foodstuffs and services, and deletes final proviso relating to sales and excise tax. Present GS 143-58: deleted (related to foodstuff and other supplies). GS 143-60 (now GS 143-59). Deletes special proviso concerning Ackland Art Center sale or exchange procedures. GS 143-61 (now GS 143-60). Specifies that Standardization Committee serves at pleasure of Governor. Substitutes for the member representing State educational agencies, a member serving State or local educational agencies. Adds provision authorizing interim modifications of standard specs by Director of Admin. between formal revisions. Present GS 143-61: deleted (suit against public printer failing to perform contract). Effective July 1, 1971.

S 476 (Joint Resolution) Nash General Hospital
Introducer: Milgrom

MISC RES
Passed three readings
and sent to House

"Commemorating the dedication of Nash General Hospital." As title indicates.

S 480 Aid to private colleges (Iden. H 780)
Introducers: Staton and others

APPROPRIATION, GS 116
Sent to HIGHR ED

"To utilize the resources of private colleges and universities in educating North Carolina students." Authorizes Board of Higher Ed. to contract with private institutions for institutions to provide and administer scholarship funds to needy NC students in an amount at least equal to amount of funds appropriated therefor and paid to institutions. Authorizes Dep't of Admin. upon recommendation of Board of Higher Ed. to pay institution fixed sum for each NC student enrolled as of October 1

of any year for which appropriated funds are available, over and above number of NC students enrolled in that institution as of October 1, 1970 (base date for calculations). Authorizes Board to prescribe form of contracts, and require of institutions such reports, statements, audits as deemed necessary. Defines "institutions" as educational institution in NC not owned by state or agency of state, accredited by Southern Assoc. of Colleges and Schools under standards of College Delegate Assembly, and not a seminary, Bible school, Bible college or similar religious institution. Defines "student" as NC resident who has not yet received bachelor's degree or qualified therefor. Precludes use of funds for religious or other non-public purpose. Directs Board to conduct study of private institutions of higher ed. in NC during fall 1972 to evaluate assistance afforded them under this act, to report to Governor and 1973 General Assembly, and make appropriate recommendations as to whether program should be continued, discontinued, or modified.

HOUSE

H 771 Explosives license repeal
Introducer: S. Johnson

GS 14
Sent to JUDIC 1

"To repeal G.S. 14-284 relating to county licenses for the sale of explosives."
As title indicates, repeals GS 14-284 making it misdemeanor for any dealer or other person to sell or keep for sale explosives without first having obtained from board of county commissioners license for that purpose.

H 772 County ordinance procedure
Introducer: S. Johnson

GS 153
Sent to JUDIC 2

"Revising the procedures for adoption of county ordinances." Amends GS 153-9(55) relating to adoption of ordinances by county comm'rs, to provide that ordinance cannot receive final passage at meeting at which introduced unless vote is unanimous, and that if vote is not unanimous a majority vote at next regular meeting constitutes final passage (now, 30 days required between first and second reading, with publicized hearing on ordinance to be held within 15 days of first reading, and ordinance not to take effect until at least 20 days after second publication). Requires ordinances adopted other than under subsection (55) be included in ordinance book of clerk of board and be recorded and indexed, removing requirement that ordinances must be published to be effective, and deleting provision that failure to comply with requirements of recording, indexing, and publishing is defense to criminal action. Rewrites sentence stating subsection does not confer any new authority to regulate traffic or highway rights of way inconsistently with State law or ordinances of State Highway Comm'n, omitting specific references to rights of utilities and electric membership corps. Effective July 1, 1971.

H 773 Workmen's comp. appeals expense
Introducer: Josey

GS 97
Sent to JUDIC 2

"To amend Article 1 of Chapter 97 of the General Statutes relating to expenses of appeals brought by insurers under the North Carolina Workmen's Compensation Act."
Amends GS 97-88 to require that if Industrial Commission or court orders insurer "to make or to continue benefits, including compensation for medical expenses" (now only to continue compensation) to injured employee, Commission or court may further order cost to injured employee of hearing or proceedings including reasonable attorney fees be paid by insurer as part of bill of costs.

H 774 Regulating UNC campus roads
Introducer: Andrews

GS 116
Sent to HIGHR ED

"To amend G.S. 116-44.1 to permit the Board of Trustees of the University of North Carolina to authorize its executive committee to make rules and regulations with respect to use of streets, alleys, driveways, etc., on the campuses of the University of North Carolina." As title indicates.

H 775 Process service, counterclaims
Introducer: M. Smith

GS 1A
Sent to JUDIC 2

"To provide that pleadings setting forth counterclaims need not be personally served." Rewrites Rule 5 of Rules of Civil Procedure relating to service of counterclaims and crossclaims, eliminating requirements that service be according to Rule 4 and written return be made by officer, and substituting new procedure for service upon attorney or party by delivering copy or by mailing to last known address or by leaving with clerk of court if address unknown. Defines delivering as handing to attorney or party, or leaving with person in charge of office, or leaving in conspicuous place, or by leaving with person of suitable age at usual abode, each listed option to be used only if previous one not available. Makes service by mail complete upon mailing.

H 776 Removal of graves
Introducer: McKnight

GS 65
Sent to JUDIC 2

"Relating to the removal of graves." Rewrites Art. 5 of GS Ch. 65 relating to the removal of graves, generally allowing same agencies to disinter for same reasons as given in current law (State, US, and their agencies if needed for lawful function; churches if moving or selling land or putting up new building; power companies if needed for reservoir; private owners if property abandoned and local governing body consents) with similar provision that 30 days notice be given to kin or that notice be published 30 days prior to disinterment if kin unknown. Adds new requirement that party removing grave file within 30 days of reinterment written certificates with register of deeds of county from which graves removed and of county to which removed, giving name of decedent, descriptions of sites, name of remover and statutory basis under which removal was made. Requires payment to register of deeds of \$1 for each page of certificate, and directs State Office of Vital Statistics to adopt regulations for handling certificates. Sets out obligations of remover to pay for all costs of disinterment and reinterment, and requires that disinterment and reinterment be done under supervision of county comm'rs for county in which activity taking place or appropriate official appointed by them. Provides Article not to impair right of kin to cause removal. Effective July 1, 1971.

H 777 Burial Commission funds
Introducer: Wynne

GS 58, 65
Sent to APPROPN

"Relating to assessments of burial associations and perpetual care cemeteries for operation of the Office of State Burial Commission." Amends GS 58-228 to provide assessment against burial associations for expenses of Burial Commissioner shall amount to 80% of Comm'r's budget, not to exceed \$81,600 (now \$68,000). Amends GS 65-36 to provide aggregate assessment against each cemetery operating under Art. 7, Ch. 65 shall amount to 20% of total budget of Burial Association Comm'r not to exceed \$20,400 (now \$17,000). Effective July 1, 1971.

H 778 Equal rates, coverage insur.
Introducer: Ingram

GS 20
Sent to INSUR

"To amend Article 9A of the General Statutes of North Carolina to abolish the assigned risk plan and to end discrimination by providing equal coverage and

equal rates under a fair insurance plan." Rewrites GS 20-279.34 (which provides for the assigned risk plan), as follows: Directs Comm'r of Insurance to develop fair insurance plan submitted by insurance carriers with reasonable prorating among them for exposure due to coverage in excess of minimum requirements for financial responsibility covering applicants unable to secure insurance through ordinary means. Requires insurance carriers to subscribe to such plan of comm'r as prerequisite to writing automobile liability insurance in NC. Provides that if Comm'r does not approve any plan, or none is submitted, Comm'r required to formulate and put into effect reasonable plans submitted to him by persons desiring coverage pursuant to act. Requires all insurance carriers engaged in selling motor vehicle liability insurance in NC to accept any and all risks assigned by Comm'r, and, upon payment of premium, issue a policy that meets, at least, minimum requirements for financial responsibility, and at the option of applicant, coverage up to \$300,000 because of bodily injury to or death of two or more persons in any one accident, and up to \$100,000 for property damage in any one accident. Provides that if applicant desires excess coverage, and any insurance company in NC is writing such coverage, then that company is required to issue applicant coverage up to that amount for period not to exceed one year. Requires immediate binding coverage upon written or oral application either by personal appearance, or by letter, telephone, or telegraph, and payment of proper amount of premium. Requires plan to provide that any agent licensed as fire and casualty agent in NC authorized to receive applications or payment for motor vehicle liability insurance on behalf of any insurance company is agent of Comm'r and may take application and receive premium payment on behalf of Comm'r or such other person designated under plan who is authorized to bind coverage. Requires agent to forward payment to Comm'r within 48 hours. Requires plan to provide that every person required to file proof of financial responsibility who has been unable to obtain such through ordinary methods, or every person desiring to obtain coverage under this section, shall have right to apply to have his risk assigned. Where application for insurance is made to Comm'r, it is deemed that applicant desires coverage under this section, and Comm'r shall so assign, and insurance company shall so accept. Provides that Comm'r to establish reasonable rates, classifications, schedules, rules and regulations, provided, Comm'r required to establish rates, etc. identical to those approved for insurers writing motor vehicle liability insurance in NC outside this plan. Empowers Comm'r, after reviewing information pertaining to applicant or policyholder and after determining that applicant's operator's license is suspended or revoked, to refuse to assign application, to approve rejection of application, to approve cancellation of insurance, and to refuse to approve renewal or reassignment of expiring policy, otherwise, nonrenewal or cancellation may only be for nonpayment. Relieves Comm'r from liability for any act in connection with administration of act, except upon proof of actual malfeasance. Provides assignment of risk available to nonresidents only for motor vehicles registered and principally garaged in NC. Covers also vehicles operated by county or municipality for ambulance service or as a rescue squad. Effective Jan. 1, 1972 and applicable to policies written or renewed after that date.

H 779 Collision insurance
Introducer: Ingram

GS 58
Sent to INSUR

"To amend Article 13 of Chapter 58 of the General Statutes relating to establishing a fair insurance plan for obtaining physical damage insurance on private passenger automobiles." Adds new GS 58-131.1A directing Insur. Comm'r on or before Jan. 1, 1972 to develop fair insurance plan for autos (defined as 4-wheel private passenger auto, station wagon or jeep), for physical damage insurance (defined as insurance against loss from fire, theft or larceny, lightning, falling objects, windstorm, earthquake, explosion, hail, water, flood, malicious mischief or vandalism, riot or civil commotion, colliding with a bird or animal or other collision to private passenger auto). Directs Comm'r to consult with representatives of insur. carriers writing physical damage insurance in NC and NC Fire Insur. Rating Bureau, and consider plans submitted for equitable apportionment among insur. carriers

of applicants for physical damage policies on autos registered and principally garaged in NC who are unable or do not desire to secure insurance through ordinary means. Requires, after approval of a plan, all insur. carriers to formally subscribe to and participate in plan as prerequisite to further writing insurance in NC. (If no plans submitted or approved, authorizes Insur Comm'r to formulate own plan.) Gives every person desiring to obtain coverage under plan right to apply to Comm'r or his designee to have his risk assigned to an insur. carrier under plan and requires carrier to issue physical damage policy meeting requirements of term, coverage, condition, exclusion and premium rates as provided herein, as prerequisite to writing further insurance in NC. Requires any plan adopted to provide for immediate binding of coverage on risk applied for on (a) written or oral application by personal appearance, letter, telephone or telegraph and (b) payment of proper amount of premium due. Authorizes agent of insurance carriers writing physical damage insurance in NC to take application and receive premium payment on behalf of Comm'r. Requires agents within 48 hrs. of receiving premium payment to forward it to Comm'r unless other reasonable method provided in plan. Requires Comm'r to establish reasonable rate classifications, rating schedules, rates, rules and regulations to be used by carriers in writing physical damage motor vehicle policies and to establish identical rates, schedules etc. for insurers writing physical damage insurance in NC outside the plan. Authorizes Comm'r, after review of MV Dep't record of applicant's license revocation or suspension, to refuse to assign application, approve carrier's rejection of application, approve cancellation of policy by carrier, or refuse renewal or reassignment of expiring policy. Otherwise, permits nonrenewal or cancellation only for nonpayment of premiums. Requires policies be for at least 12 months and to provide coverage in same manner and extent subject to same exclusions and conditions as currently being offered by carriers writing physical damage insurance on autos in NC on forms approved by Comm'r, subject only to option of applicant as to extent of coverage desired. Plan applicable to nonresidents with respect only to autos registered and principally garaged in NC. Effective January 1, 1972.

H 780 Aid to private colleges (Iden. S 480)
Introducers; Barbee and others

APPROPRIATION, GS 116
Sent to HIGHER ED

"To utilize the resources of private colleges and universities in educating North Carolina students." Identical with S 480 digested in Senate section of today's bulletin.

LOCAL BILLS INTRODUCED

SENATE

S 471 Yaupon Beach ABC stores
Introducer: Frink

BRUNSWICK
Sent to ABC

"To authorize the qualified voters of the Town of Yaupon Beach to determine whether alcoholic beverage control stores shall be established in said town and to prescribe the method of operation and the disposition of the net profits thereof." Authorizes Yaupon Beach Bd. of Comm'rs on own motion or upon petition of 15% of registered voters (mandatory) to call for special election to be held before Oct. 11, 1971 on establishment of ABC stores in town, and prohibits subsequent election within three years. Sets out procedure for disposal of ABC property if stores voted down after having previously been voted in. Provides for local ABC board of three members to be appointed by comm'rs if stores approved, and provides for its functions. Directs that 5 to 10% of profits go for law enforcement purposes and be used to employ ABC officer with power of arrest for liquor law violations. Directs remainder of profits be divided as follows: 5% to Doshier Memorial Hospital, 10% to high school serving town, 65% to town's general fund, 10% to Brunswick Board of Education, 10% to elementary and junior high schools serving town.

S 472 Hunting from highways
 Introducer: Larkins (by request)

JONES
Sent to WILDLIFE

"To prohibit hunting with rifles from highways in Jones County." Makes it misdemeanor (maximum \$50 and/or 30 days) to hunt or take any animal with use of rifle from public road in Jones County, or to attempt to do so.

S 477 Elkin firemen's supp. benefit
 Introducer: Folger

SURRY
Sent to LOC GOVT

"To repeal Chapter 169 of the 1969 Session Laws and to provide a supplemental retirement fund for firemen in the Town of Elkin and to modify the application of G.S. 118-5, 118-6, and 118-7 to the Town of Elkin." Repeals Ch. 169, SL 1969 (supplementary pension fund for Elkin firemen) and replaces it with new Firemen's Supplemental Retirement Fund to which will be transferred by July 1, 1971, all funds of supplementary pension fund. Provides for trustees of Elkin Local Firemen's Relief Fund to manage new fund (old fund run by board consisting of City Treasurer, fire chief, and member elected by fire dep't), which is to receive all funds in excess of \$5,000 in Local Relief Fund with provision for transferring money back if balance in Local Relief Fund falls below \$5,000 (old pension fund also received all above \$5,000 but had no re-transfer provision). Provides same benefit of \$1 per month for each full year of service for retired active fireman who retired prior to Jan. 1, 1969, is 55 or over and had 30 years service; but adds new provision allowing trustees to set lower benefit if necessary. Allows payment of those benefits to new set of beneficiaries -- former firemen with 20 years service -- if trustees find that fireman retired because of sickness or injury and that physicians made examinations just after retirement and in year benefits to be granted. Authorizes trustees to invest both Local Relief and Supplementary funds as authorized by GS 159-28.1 (investment of old fund was by City Treasurer and was not so restricted) and requires board to bond Treasurer of Local Relief Fund.

S 478 Jefferson ABC stores
 Introducer: Folger

ASHE
Sent to ABC

"Authorizing the establishment of a town liquor control store in the Town of Jefferson upon a vote of the people and providing for the allocation of the net proceeds from the operation of such store." Authorizes Board of Aldermen of Jefferson on own motion to order election on whether town liquor control store shall be operated in Jefferson. Authorizes subsequent election on Bd.'s own motion or petition of 15% town's registered voters for purpose of voting "Against liquor control store". If ABC store authorized by majority of voters in election Board required to create town ABC board composed of chairman and 2 other members to serve 3-yr. staggered terms. Requires net profits derived from ABC stores after deducting necessary working capital, salaries, and expenses be distributed quarterly as follows: 60% to town's general fund, 20% to Ashe County general fund, 5% to Ashe County Rescue Squad, 5% to Jefferson law enforcement fund, 5% to Ashe County Library, and 5% to Jefferson recreation fund.

S 479 Roanoke Rapids city council
 Introducer: Allsbrook

HALIFAX
Sent to LOC GOVT

"To amend the charter of the City of Roanoke Rapids to provide that the city council shall consist of four members and a mayor elected at large." Provides for four councilmen and a mayor, all elected at large. (Now, 5 council members and a mayor.)

HOUSE

H 767 Deer hunting
Introducer: Speed

FRANKLIN
Sent to WILDLIFE

"To provide that the law regarding hunting deer from public roads in Franklin County will be enforced by wildlife protectors and others." Adds new section to Ch. 484, SL 1969 providing for wildlife protectors and other law enforcement officers to enforce that law which prohibits hunting from highways in certain sections of Franklin County without permission of owner of land abutting highway.

H 768 Walnut Cove landfill
Introducer: Gentry

STOKES
Sent to LOC GOVT

"To authorize the Town of Walnut Cove to acquire land for sanitary landfill or garbage disposal purposes." As title indicates, acquisition to be by purchase pursuant to GS 160-204 or by eminent domain pursuant to GS 160-205.

H 769 School board election
Introducers: Bundy and Rountree

PITT
Sent to EDUCATN

"Providing for the membership of the Pitt County Board of Education of nine members and to provide for the election of its members." Modifies GS 115-19 to provide Pitt County Board of Ed. consist of 9 members to serve 6-yr. staggered terms, first 9-member board to be composed of: Worsley, House, Brinson (taking office in Dec. 1972), Congleton, A. D. McLawhorn, Jr., Nelson (taking office in Dec. 1974), Owens, Patterson, and Bill McLawhorn (taking office in Dec. 1976). At expiration of present members' terms provides for countywide, non-partisan election at time of primary election in 1972 and at each primary election thereafter held in year in which their terms of office expire.

H 770 Pistol permits
Introducers: A. Smith and Huskins

IREDELL
Sent to LOC GOVT

"Amending Chapter 1073 of the Session Laws of 1959, relating to the issuance of pistol permits, so as to make the same applicable to Iredell County." Amends indicated act to make it applicable to Iredell, the effect of that act being to amend GS 14-269.1 to give to sheriff duties now held by clerk of superior court with respect to disposition of deadly weapons involved in criminal trials.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

None.

HOUSE BILLS

H 155 Nuisances-public morals (digested in Bulletin No. 18, p. 117).

Committee substitute adopted in House 4/22/71 adds acts which create danger to public or are likely to provoke average person to retaliation as acts to be considered in classifying a place as a nuisance, and removes (except for breaches of peace) requirement that acts must be repeated to be considered.

H 449 School bus stop changes (digested in Bulletin No. 45, p. 325; amendment adopted in House 4/9/71, digested in Bulletin No. 63, p. 486).

Amendments adopted in Senate 4/22/71 delete requirement that bus be going to and from school, church, or Sunday school; include "temple bus" in bill; raise maximum penalty from \$50/30 days to \$200/90 days; and technical amendments.

H 498 Corporate stamps for seals (original bill digested in Bulletin No. 51, p. 364).

Committee substitute adopted in House 4/22/71 rewrites GS 12-3(8) to apply in all cases in which seal of any court, public officer, individual, corporation, county, city or town, or other natural or legal person is required (now only applies to court or public office seal), and defines "seal". (Original bill did not amend GS 12-3(8)). Rewrites GS 47-41.1 making documents legally valid and binding when corporate seal is affixed thereto by any method authorized by GS 12-3(8). (Original bill referred to "corporate stamp" and made no reference to GS 12-3(8)).

H 499 Dangerous weapons at schools (digested in Bulletin No. 51, p. 364; House amendments adopted 3/31/71 and 4/6/71 digested in Bulletin No. 56, p. 405 and Bulletin No. 60, p. 446).

Clarifying amendments adopted in Senate 4/22/71.

H 538 Driver license revocation-chases-2 (original bill digested in Bulletin No. 55, p. 393; previous amendments digested in Bulletin No. 67, p. 520, and Bulletin No. 68, p. 530).

Amendment adopted in House 4/22/71 made bill apply to any person "actually in the act of fleeing or eluding" a law enforcement officer. (Originally any person "attempting to flee".)

H 568 (Wilkes) Fox hunting (digested in Bulletin No. 58, p. 424).

Committee substitute adopted in House 4/22/71 adds Wilkes to counties listed in GS 113-111 in which it is lawful to hunt foxes at any time by any lawful method, except by use of electronic calling devices (original bill made it lawful to hunt foxes in Wilkes at any time and by any method except use of poisons).



- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- #S. 39 PRESIDENTIAL PRIMARY ELECTION.(3/30, 4/08, 4/14, 4/14, 4/20) RATIFIED CH. 225.
 S. 75 TESTAMENTARY GIFTS TO MINORS.(3/05) H-REPTD FAV AS AMEND.
 #S. 110 EXTEND LIMITED DRIVING PERMITS.(3/03) RATIFIED CH. 226.
 S. 154 NOTARIES' ACTS VALIDATED.(4/06) S-PASSED 2ND & 3RD READING.
 S. 206 BOAT LIFESAVING DEVICE.(4/15) H-REPTD FAV.
 S. 276 RURAL FIRE DISTRICTS EXCLUSIONS. H-REPTD FAV AS AMEND.
 S. 293 ARCHAEOLOGICAL SALVAGE-HIGHWAYS.(4/01) H-REPTD FAV AS AMEND.
 S. 338 WOUND REPORTS BY PHYSICIANS-2. S-REPTD FAV AS AMENDED.
 S. 353 POSTING CRIMINAL TRIAL CALENDAR. H-REC FROM SENATE; H-REF TO COM ON COURTS.
 S. 387 CREATING NC MANPOWER COUNCIL. S-PASSED 2ND & 3RD READING.
 S. 419 (J.RES.) CHATTOOGA AS WILD RIVER. S-PASSED 2ND & 3RD READING.
 S. 424 JUDICIAL DEPARTMENT CHANGES. S-REPTD FAV AS AMENDED.
 S. 440 PUBLIC FUNDS FOR NURSING SCHOOLS. S-REPTD FAV; S-RE-REF COM ON APPROPN.
 S. 444 PRICE LIMIT-STATE AUTOS. S-PASSED 2ND & 3RD READING.
 S. 466 (J.RES.) MEMORIALIZING W. KERR SCOTT. H-PASSED 2ND & 3RD READING.
 S. 476 (J.RES.) NASH GENERAL HOSPITAL. S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PASSED 2ND & 3RD READING.
 H. 78 WORTHLESS CHECK LAW.(3/09, 3/25) S-REPTD FAV.
 #H. 97 TESTAMENTARY GIFTS TO MINORS. H-REPTD UNFAV.
 H. 120 SCHOOL LUNCH APPROPRIATION. S-RECALLED FROM HOUSE.
 H. 154 WIDOWER'S TAX EXEMPTION. H-FLOOR AMENDS TABLED; H-PASSED 2ND & 3RD READING.
 H. 155 NUISANCES-PUBLIC MORALS.(4/22) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
 H. 172 MENTAL CARE-PARENTS' LIABILITY. H-PLACED ON CAL FOR APR 27.
 H. 189 ESTATES-TRANSFER OF AUTOS.(3/04, 4/09) H-PASSED 2ND & 3RD READING.
 H. 199 PAR BANKING.(4/06, 4/06) S-PASSED 2ND READING; S-PLACED ON CAL FOR APR 26.
 #H. 264 CRIMINAL APPEALS. S-REPTD UNFAV.
 H. 284 NON-DISCLOSURE, TAX INFORMATION.(4/13, 4/13, 4/21) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
 H. 288 GAME CARCASS TAGS. H-REPTD FAV AS AMEND.

- H. 303 SHOPLIFTING ARREST LIABILITY.(3/30, 3/31, 4/13, 4/14) S-PASSED 3RD READING.
- H. 328 FIREHOUSE DRIVEWAY PAVING. H-REPRD FAV AS AMEND.
- H. 353 PROTECTIVE LENSES.(4/06) S-REPTD FAV.
- H. 370 REALTY BROKERS-UNEMPLOYMENT INS..(4/21) H-REC FROM SENATE; H-PLACED ON CALENDAR.
- H. 449 SCHOOL BUS STOP CHANGES.(4/09, 4/22) S-COM AMENDS ADOPTED; S-PASSED 2ND & 3RD READING.
- H. 461 MEDICAL CHEST IN MFG PLANT. S-REPTD FAV.
- H. 466 REGIONAL JAIL OPERATIONS.(4/05) H-PASSED 2ND READING.
- H. 468 REGULATING SUBDIVISION SALES. H-REPTD FAV.
- H. 498 CORPORATE STAMPS FOR SEALS.(4/22) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 499 DANGEROUS WEAPONS AT SCHOOLS.(3/31, 4/06, 4/22) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- #H. 538 DRIVER LICENSE REVOCATION-CHASES-2.(4/15, 4/15, 4/16, 4/16, 4/22) H-FLOOR AMEND ADOPTED; H-AMENDMENT TABLED; H-FAILED 3RD READING.
- H. 544 PROTECTING RIVER/DEER,BLADEN. H-REPTD FAV.
- #H. 595 DEPOSITIONS IN CRIMINAL CASES. H-REPTD UNFAV.
- H. 626 ABORTIONS RESIDENCY,MD REQUIREMENT. H-REPTD FAV.
- H. 653 (J.RES.) WORLD LAW AND ORDER. H-REPTD FAV.
- H. 655 STATE FISH-RED DRUM. H-PASSED 2ND & 3RD READING.
- H. 686 DISPOSING OF ABANDONED VEHICLES. H-REPTD FAV.
- H. 689 HIRING CERTAIN SERVANTS. H-REPTD FAV.
- H. 718 GIFTS TO WILDLIFE COMMISSION. H-REPTD FAV.
- H. 735 (J.RES.) STUDY COMM'N-ELECTION ABUSES. H-REPTD FAV AS AMEND.
- #H. 753 MEMORIALIZING R.C. GODWIN. RATIFIED RES. 50.

LOCAL BILLS

- #S. 270 (ASHE) WEST JEFFERSON ABC STORES. H-FAILED 2ND READING.
- S. 340 (CHEROKEE) AUTHORIZING DEPUTY SHERIFFS.(4/13) H-REPTD FAV.
- S. 378 (SURRY) TAX LISTING BY MAIL. H-REPTD FAV.
- S. 405 (ALAMANCE, PENDER) WOUND REPORTS BY HOSPITALS. H-REPTD FAV.
- S. 407 (MARTIN) BD OF EDUCATION ELECTION.(4/19) H-WITHDRAWN FROM COM; H-RE-REF TO COM ON EDUCATN.
- S. 408 (POLK) 5 GALLONS LIQUOR-TRYON. H-REC FROM SENATE; H-REF TO COM ON ABC.
- S. 409 (POLK) TRYON ABC FUNDS. H-REC FROM SENATE; H-REF TO COM ON ABC.
- S. 410 (DURHAM, WAKE) RDU AIRPORT BONDS. H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.
- S. 423 (MECKLENBURG) CORNELIUS CHARTER REVISION. H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.
- H. 416 (CLEVELAND) KINGS MTN. FIELD HOUSE CONTRACT. H-PLACED ON CAL FOR MAY 11.
- #H. 462 (ORANGE) CHAPEL HILL ASSESSMENTS.(4/09) RATIFIED CH. 227.
- H. 526 (GUILFORD) EMINENT DOMAIN BROADENED. H-REPTD FAV.

- H. 568 (WILKES) FOX HUNTING.(4/22) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 585 (ALAMANCE) BAIL BONDSMEN.(4/21) H-REC TO CONCUR IN S AMEND; H-PLACED ON CALENDAR; S-RECALLED FROM HOUSE.
- #H. 587 (STOKES) CORPORATE LIMITS-TOWN OF KING. RATIFIED CH. 228.
- H. 590 (FRANKLIN) YOUNGSVILLE ABC ELECTION. H-PASSED 2ND & 3RD READING.
- H. 594 (POLK) TRYON SCHOOL BD. APPOINTMENTS. H-PASSED 2ND & 3RD READING.
- H. 631 (JONES, LENOIR) DRAINAGE DISTRICT ABOLISHED. H-REPTD FAV.
- H. 641 (MECKLENBURG) MINT HILL ABC PROFITS. H-PASSED 2ND & 3RD READING.
- H. 643 (ROCKINGHAM) FIVE GALLON LIQUOR-MADISON. H-PASSED 2ND & 3RD READING.
- H. 656 (NEW HANOVER) URBAN DEVELOPMENT-PRIVATE SALES. H-REPTD FAV.
- H. 657 (NEW HANOVER) SCHOOL TEACHER PENSIONS. H-REPTD FAV.
- H. 659 (CRAVEN) NUMBERED SEATS IN ELECTIONS. H-REPTD FAV AS AMEND.
- H. 664 (POLK) SALUDA PROPERTY EXCHANGE. H-REPTD FAV.
- H. 667 (COLUMBUS) WHITEVILLE FIREMEN RETIREMENT FUND. H-REPTD FAV.
- H. 669 (CUMBERLAND) AIR RIFLES RESTRICTED. H-REPTD FAV.
- H. 671 (WILKES) NORTH WILKESBORO ANNEXATION. H-REPTD FAV.
- H. 675 (ORANGE) TAX LISTING. H-REPTD FAV.
- H. 678 (DAVIE) MOCKSVILLE ABC REFERENDUM. H-PASSED 2ND & 3RD READING.
- #H. 692 (FORSYTH) QUICK-TAKE CONDEMNATION. H-REPTD UNFAV.
- H. 702 (BRUNSWICK) OCEAN ISLE ABC PROFITS. H-REPTD FAV.
- H. 703 (BRUNSWICK) LONG BEACH ABC PROFITS. H-REPTD FAV.
- H. 710 (GREENE) NO RACCOON HUNTING. H-REPTD FAV.
- H. 716 (ROBESON) MUNICIPAL ABC PROFITS. H-REPTD FAV.
- H. 719 (LINCOLN) CHAMBER OF COMMERCE DUES. H-REPTD FAV.
- H. 722 (COLUMBUS) DEP'T OF COMMUNITY AFFAIRS. H-REPTD FAV AS AMEND.
- H. 724 (NEW HANOVER) COUNTY COMM'RS FILL JOBS. H-REPTD FAV AS AMEND.
- H. 725 (NEW HANOVER) COUNTY COMM'RS APPOINT AUDITOR. H-REPTD FAV.
- H. 726 (NEW HANOVER) COUNTY MOSQUITO CONTROL PROGRAM. H-REPTD FAV.
- H. 729 (JOHNSTON) BAIL BONDSMEN & RUNNERS. H-REPTD FAV.
- H. 731 (WILSON) BOARD OF EDUCATION ELECTION. H-REPTD FAV.
- H. 732 (PERQUIMANS) WINFALL CHARTER REVISION. H-REPTD FAV.
- H. 734 (MECKLENBURG) CHARLOTTE SYMPHONY FUNDS. H-REPTD FAV.
- H. 741 (RUTHERFORD) COUNTY AIRPORT AUTHORITY. H-REPTD FAV.
- H. 744 (HALIFAX) HALIFAX HUNTING ON HIGHWAYS. H-REPTD FAV.
- H. 762 (EDGECOMBE) EDGECOMBE ED. BD.. H-PLACED ON CAL FOR APR 23.
- H. 766 (LINCOLN) LINCOLNTON ADMEND. SCHOOL UNIT.(4/21) S-REPTD FAV; S-PASSED 2ND & 3RD READING.

Next Session of Senate: 9:45 a.m., Friday, April 23, 1971.

Next Session of House : 9:30 a.m., Friday, April 23, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 73

-579-

FRIDAY, APRIL 23, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 481 Manufacture of bedding (Iden. H 785)
Introducer: Currie

GS 130
Sent to PUB HLTH

"To amend Article 16 of Chapter 130 of the General Statutes relating to the regulation of the manufacture of bedding." Identical with H 785 digested in House section of today's Bulletin.

HOUSE

H 781 Water supply damages recoverable
Introducer: Nash

GS 143, 160
Sent to WATER

"To authorize public agencies providing water services to recover damages from person polluting the water supply." Authorizes public agencies owning or operating water systems to recover as damages any additional costs incurred in providing water supply as the result of violation by another of water quality standards or violation of any other State law concerning pollution of waters. Sets out procedure for written demand for payment of damages to be made to polluter within 6 months of time damages were sustained, with continuing violations being subject to demands from time to time, and authorizes suit in superior court for county in which agency located (or, at agency's choice, in superior court for county where violation took place) if payment not made within reasonable time. Establishes measure of damages as being any costs of purification, etc. which would not have been sustained but for the pollution violation, including cost of additional facilities and equipment (it being also provided that the cost may be apportioned if it is excessive with regard to the nature and extent of the violation), and provides that if several polluters are involved they are jointly and severally liable.

H 782 Poll book, voting records
Introducer: Gentry

GS 163
Sent to ELECTION

"To amend Chapter 163 of the General Statutes of North Carolina so as to afford protection to all voters at the time of voting." Rewrites GS 163-150(f) to require at each primary and election one judge appointed pursuant to GS 163-41(a) (precinct registrars and election judges) or an assistant appointed pursuant to GS 163-42 (poll assistants) be designated by registrar to keep poll book prescribed by State Election Board (now, book kept by judge designated by registrar). Requires poll book keeper enter name of every person voting, and at time voter has his name checked on loose-leaf registration record, requires voter sign name in poll book in column opposite his name as recorded by poll book keeper. Requires State Election Board to prescribe exact procedure and instruct county election boards, which shall instruct precinct officials. If voter cannot sign name, requires him to make his mark and precinct official to initial it. Requires poll book entries be made at time



voter is checked on loose-leaf registration record, and such signature or mark serve as receipt for ballots where paper ballots used and "authorization to vote" where voting machines used. Empowers poll book keeper to request identification of any voter about whom reasonable question exists. Deletes provision exempting counties where full-time and permanent registration exists, making above provisions applicable in all counties.

H 783 Forestry aid-exclude Xmas trees (Iden. S 474) GS 113
Introducers: Stevens and others Sent to AGRICULT

"To amend G.S. 113-81.1 so as to exclude ornamental trees and shrubbery and Christmas trees." Identical with S 474 digested in Bulletin No. 72, p. 565.

H 784 Mental Health Council GS 122
Introducer: C. Smith Sent to MENTAL H

"To update the titles of the members of the Mental Health Council and add the names of organizations invited to membership on the Council." Changes composition of Mental Health Council as set out in GS 122-105 by deleting reference to Chairman of Bd. of Mental Health, by substituting Dep't of Social Services for former references to Dep't of Public Welfare, by substituting Director of Division of Exceptional Children in Dep't of Public Instruction for Director of Special Educ. Section, and by adding representatives of the following organizations: NC Personnel and Guidance Assoc., Assoc. of MH Centers, Council of NASW Chapters, Extension Homemakers Assoc., Council on Mental Retardation, Division of Recreation of Dep't of Local Affairs, Dep't of Veterans Affairs, Academy of Gen'l Practice, Nurses' Assoc. and League for Nursing, Council of Child Psychiatry, Alcoholism Professionals, Council of Family Service Agencies, Medical Care Comm'n, and Divisions of Mental Retardation and of Alcoholism of Dep't of MH. Retains provision that Council can invite additional organizations to send representatives. Changes reference to NC Constitution in GS 122-107 to make it conform to new Constitution. Effective July 1, 1971.

H 785 Manufacture of bedding (Iden. S 481) GS 130
Introducers: Chase and Stewart Sent to HEALTH

"To amend Article 16 of Chapter 130 of the General Statutes relating to the regulation of the manufacture of bedding." Extends GS 130-173 to cover all materials used in manufacture of bedding in NC or to be sold in NC (now, latter not included), and to require that bedding tags list name and kind of material or materials used to fill such bedding listed in order of their predominance (now only requires list of materials). Deletes requirement that bedding tag state name and address of maker or vendor of bedding. Amends GS 130-176 to prohibit any person from manufacturing bedding to be sold in NC until he has secured "manufacturer's license". (Now, applicable only to person manufacturing bedding in NC.) Amends GS 130-177 raising cost of 500 bedding stamps to \$18.00 (now \$12.00), and cost of stamp exemption permit to rate of \$18.00 for each 500 bedding units or fraction thereof (now \$12.00), and sets maximum charge at \$750.00 (now \$500.00). Defines what constitutes bedding unit for purpose of computing "Stamp Exemption Permits" only, and requires NC stamp exemption number appear on law label. Amends GS 130-178 to limit Health Board, inspections only to places where bedding is manufactured or sold within NC. Effective January 1, 1972.

H 788 (House Resolution) LRC study, suing polluters STUDY
Introducer: Bryan Sent to WATER

"Authorizing the Legislative Research Commission to study the need for legislation concerning standing to sue to protect the environment." Directs LRC to study need for legislation giving citizens standing to sue to enforce anti-pollution laws and

regulations, with report and recommendations to be made to 1973 General Assembly.

H 789 Condominium law defin.
Introducer: S. Johnson

GS 47A
Sent to JUDIC 1

"To amend G.S. 47A-3 to redefine "building" for purposes of the condominium law." Amends definition of building in GS 47A-3(1a) to mean a building, or group of buildings, each containing one or more units and comprising a part of the property, provided the property contain not less than two units. (Now, each building must contain two or more units and proviso not included.)

H 790 Blood transfusions, containers
Introducer: Hightower

GS 90
Sent to HEALTH

"To regulate the storage and transfusions of blood." Adds new GS 90-220.12 requiring all blood stored in NC for purpose of transfusions to be labeled "Commercial Blood" (blood given by individual in exchange for money) or "Volunteer Blood" (blood donated absent exchange of money) at time of donation. Provides any person receiving blood to get first pint from "Volunteer Blood", if available. Subsequent transfusions to same recipient to be from "Volunteer Blood", if available, and it can be ascertained that recipient or member of immediate family (as defined) has ever been, or is currently volunteer blood donor; if it cannot be ascertained whether recipient or immediate family was volunteer donor, recipient to receive only "Volunteer Blood", if available. Makes it misdemeanor to store "Volunteer Blood" in container labeled "Commercial Blood" and vice-versa, punishable by fine from \$100 to \$500. Exempts blood stored prior to enactment. Requires blood received from outside NC to be labeled. Provides Act not apply if, in medical judgement of attending physician, it is in best interests of patient to administer other than volunteer blood.

LOCAL BILLS INTRODUCED

SENATE

S 482 Turkey hunt
Introducer: Allsbrook

HALIFAX
Sent to WILDLIFE

"To permit the hunting of Gobbler Turkey in Halifax County." Establishes open season on gobblers from January 1 thru February 20 each year, and sets bag limit of one daily, two in possession, and two per season. Effective January 1, 1972.

HOUSE

H 786 Additional magistrate
Introducers: Barbee, Fenner, and Eagles

NASH, GS 7A
Sent to COURTS

"To amend G.S. 7A-133 relating to the number of magistrates in Nash County." Modifies GS 7A-133 to increase the maximum number of magistrates permissible for Nash County to ten (now, nine).

H 787 Greenville mayor run-off
Introducer: H. Rountree (by request)

PITT
Sent to LOC GOVT

"To amend the Charter of the City of Greenville, North Carolina, relating to the election of the office of mayor." Amends Greenville charter to provide that mayor must be elected by majority, and that if no candidate receives majority in election and if second high finisher files written request for run-off by noon of second day after official declaration of results of first election, then run-off shall be held two weeks after first election, but there shall be no new registration of voters. Makes act applicable to election set for May 4, 1971.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

- S 75 Testamentary gifts to minors (digested in Bulletin No. 12, p. 73;
Committee substitute adopted in Senate 3/5/71)
Committee Substitute adopted in Senate 3/5/71 removes restriction that gift not to exceed \$10,000 per donee, substituting provision for custodian to give bond to secure excess over \$10,000. Amendments adopted in House 4/23/71: (1) providing this is not exclusive method of making gifts to minors, but only alternative; (2) adding attorney at law as permissible custodian of gift.
- S 338 Wound reports by physicians-2 (digested in Bulletin No. 53, p. 384)
Amendment adopted in Senate 4/23/71 requires report to be made as soon as practicable rather than promptly.
- S 387 Creating NC Manpower Council (Iden. H 600, digested in Bulletin No. 60, p. 442)
Amendment adopted in House 4/23/71 makes clear that members of Council are to be appointed by Governor.

- S 424 Judicial Department changes (Iden. H 714, digested in Bulletin No. 66, p. 507)
Amendment adopted in Senate 4/23/71 deletes sections of bill which affected GS Ch. 3, that Chapter having been repealed by Ch. 202, SL 1971, ratified 4/16/71.

HOUSE BILLS

- H 111 \$300 Auto accident reports (Original bill digested in Bulletin No. 13, p. 85;
amendment digested in Bulletin No. 51, p. 367.)
Committee substitute adopted in House 4/23/71 adds provisions conforming GS 20-279.4 and GS 20-279.5(a) to the change from \$100.00 to \$300.00 damages for which reports of automobile accidents must be made.
- H 328 Firehouse driveway paving (Original bill digested in Bulletin No. 33, p. 232)
Amendment adopted in House 4/23/71 makes bill applicable to facilities of rescue squads furnishing ambulance services which are approved by the NC State Association of Rescue Squads, Inc. (Original bill required approval by NC Board of Health.)
- H 589 (Vance, Montgomery) Ambulance bills (digested in Bulletin No. 59, p. 436)
Amendment adopted in House 4/23/71 makes bill, and thereby GS 14-111.2, applicable to Montgomery County also.
- H 621 (Gaston) Licensing bail bondsmen (original bill digested in Bulletin No. 61, p. 459.)
Amendment adopted in House 4/23/71 making effective date July 1, 1971.
(Originally, effective upon ratification.)
- H 659 (Craven) Numbered seats in elections (digested in Bulletin No. 63, p. 482)
Technical amendment adopted in House 4/23/71.
- H 715 (Joint Resolution) LRC mental hospitals study (digested in Bulletin No. 66, p. 508)
Amendments adopted in House 4/23/71 refer to treatment concept as one of "geographical unit" rather than "area program", and direct that LRC make study with assistance of Advisory Budget Comm'n.

- H 722 (Columbus) Dep't of community affairs (Original bill digested in Bulletin No. 67, p. 518.)
Technical amendment adopted in House 4/23/71.
- H 724 (New Hanover) County comm'rs fill jobs (digested in Bulletin No. 67, p. 518)
Technical amendments adopted in House 4/23/71.
- H 735 (Joint Resolution) Study comm'n-election abuses (digested in Bulletin No. 68, p. 527)
Amendments adopted in House 4/23/71 make technical change and direct study comm'n to use facilities and staff of State and county boards of Elections if necessary.

SENATE AND HOUSE

CALENDAR ACTION

APR. 23, 1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 55 ADOPTIONS VENUE.(3/10, H-PASSED 2ND & 3RD READING.
S. 75 TESTAMENTARY GIFTS TO MINORS.(3/05, 4/23) H-COM AMENDS ADOPTED; H-PASSED 2ND & 3RD READING.
S. 94 CLERK SUPERIOR COURT, GS2.(4/21) H-REC FROM SENATE; H-REF TO COM ON COURTS.
#S. 154 NOTARIES' ACTS VALIDATED.(4/06) RATIFIED CH. 299.
S. 206 BOAT LIFESAVING DEVICE.(4/15) H-PLACED ON CAL FOR APR 26.
S. 209 FREE OLDSTER FISH-HUNT LICENSE. H-PLACED ON CAL FOR APR 26.
S. 236 SUSPENSION, 10 MPH EXCESS SPEED.(3/11) H-PASSED 2ND & 3RD READING.
S. 295 WILDLIFE RESOURCES DISTRICTS. H-PLACED ON CAL FOR APR 26.
S. 328 SETTLING LAND TITLES. H-PASSED 2ND & 3RD READING.
S. 338 WOUND REPORTS BY PHYSICIANS-2.(4/23) S-COM AMEND ADOPTED; S-PASSED 2ND READING; S-PLACED ON CAL FOR APR 29.
S. 387 CREATING NC MANPOWER COUNCIL.(4/23) H-REC FROM SENATE; H-PLACED ON CALENDAR; H-FLOOR AMENDS ADOPTED; H-PASSED 2ND & 3RD READING; H-RECONSIDERED 3RD READING; H-PLACED ON CAL FOR APR 26.
S. 406 TAX REFUNDS TO CHARITABLE GROUPS. H-REPTD FAV.
S. 419 (J.RES.) CHATTOOGA AS WILD RIVER. H-REC FROM SENATE; H-REF TO COM ON CONS&DEV.
S. 424 JUDICIAL DEPARTMENT CHANGES.(4/23) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
S. 444 PRICE LIMIT-STATE AUTOS. H-REC FROM SENATE; H-REF TO COM ON ST GOVT.
#S. 466 (J.RES.) MEMORIALIZING W. KERR SCOTT. RATIFIED RES. 51.
#S. 476 (J.RES.) NASH GENERAL HOSPITAL. RATIFIED RES. 52.
H. 78 WORTHLESS CHECK LAW.(3/09, 3/25) S-PASSED 2ND READING.
H. 111 \$300 AUTO ACCIDENT REPORTS.(3/24, 4/23) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
H. 154 WIDOWER'S TAX EXEMPTION. S-REC FROM HOUSE; S-REF TO COM ON FINANCE.
H. 155 NUISANCES-PUBLIC MORALS.(4/22) H-PLACED ON CAL FOR APR 26.
#H. 189 ESTATES-TRANSFER OF AUTOS.(3/04, 4/09) RATIFIED CH. 230.
H. 283 NARCOTIC DRUGS-VEHICLE CODE.(4/20) H-RE-REF TO COM JUDIC 2.
#H. 284 NON-DISCLOSURE, TAX INFORMATION.(4/13, 4/13, 4/21) RATIFIED CH. 231.
H. 288 GAME CARCASS TAGS. H-PLACED ON CAL FOR APR 26.

- H. 289 BOAT LIFESAVING DEVICES. H-PLACED ON CAL FOR APR 26.
H. 303 SHOPLIFTING ARREST LIABILITY.(3/30, 3/31, 4/13, 4/14) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
H. 314 BEAR KILLING PENALTY. H-PLACED ON CAL FOR APR 26.
H. 328 FIREHOUSE DRIVEWAY PAVING.(4/23) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
H. 353 PROTECTIVE LENSES.(4/06) S-PASSED 2ND & 3RD READING.
H. 370 REALTY BROKERS-UNEMPLOYMENT INS..(4/21) H-PLACED ON CAL FOR APR 28.
H. 449 SCHOOL BUS STOP CHANGES.(4/09, 4/22) H-REC TO CONCUR IN S AMEND; H-PLACED ON CAL FOR APR 26.
H. 455 EMPLOYING MINORS-PHYSICAL EXAM. H-PASSED 2ND & 3RD READING.
H. 457 AID-TO-BLIND ADMINISTRATION. H-PASSED 2ND & 3RD READING.
H. 458 AID-TO-BLIND, TECHNICAL CHANGES. H-PASSED 2ND & 3RD READING.
H. 461 MEDICAL CHEST IN MFG PLANT. S-PASSED 2ND & 3RD READING.
H. 466 REGIONAL JAIL OPERATIONS.(4/05) H-PASSED 3RD READING.
H. 468 REGULATING SUBDIVISION SALES. H-PASSED 2ND & 3RD READING.
H. 481 FISH RUSTLING. H-PLACED ON CAL FOR APR 29.
H. 498 CORPORATE STAMPS FOR SEALS.(4/22) H-PASSED 2ND & 3RD READING.
H. 499 DANGEROUS WEAPONS AT SCHOOLS.(3/31, 4/06, 4/22) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
H. 532 CONTRACTOR LICENSE CHANGES. S-REPTD FAV.
H. 544 PROTECTING RIVER/DEER, BLADEN. H-PASSED 2ND & 3RD READING.
H. 545 COSMETIC ART EXAMINERS-SALARY. H-PASSED 2ND & 3RD READING.
H. 577 ARREST OF TRAMPS. H-PASSED 2ND & 3RD READING.
H. 578 INJURIES BY TRAMPS. H-PASSED 2ND & 3RD READING.
#H. 600 CREATING NC MANPOWER COUNCIL. H-POSTPONED INDEFINITELY.
H. 626 ABORTIONS RESIDENCY, MD REQUIREMENT. H-PASSED 2ND READING.
H. 636 CHILD ADOPTION-MINOR STEPPARENT. H-PASSED 2ND & 3RD READING.
H. 653 (J.RES.) WORLD LAW AND ORDER. H-PASSED 2ND & 3RD READING.
H. 655 STATE FISH-RED DRUM. S-REC FROM HOUSE; S-REF TO COM ON ST GOVT.
H. 673 SCHOOL BYS OPERATORS CERTIFICATION. H-PASSED 2ND & 3RD READING.
H. 686 DISPOSING OF ABANDONED VEHICLES. H-PASSED 2ND & 3RD READING.
#H. 688 NIGHT SALE OF COTTON. H-TABLED.
H. 689 HIRING CERTAIN SERVANTS. H-PASSED 2ND & 3RD READING.
H. 690 PROSECUTING OFFICER-ESCAPEES. H-PASSED 2ND & 3RD READING.
H. 715 (J.RES.) LRC MENTAL HOSPITALS STUDY.(4/23, 4/23) H-COM AMEND ADOPTED; H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
H. 718 GIFTS TO WILDLIFE COMMISSION. H-PASSED 2ND & 3RD READING.
H. 721 (J.RES.) STUDY SIMPLIFIED STATE TAX RETURN. H-PASSED 2ND & 3RD READING.
H. 733 JOB CERT. FOR MINORS BY DOCTORS. H-PASSED 2ND & 3RD READING.
H. 735 (J.RES.) STUDY COMM'N-ELECTION ABUSES.(4/23) H-COM AMEND ADOPTED; H-PASSED 2ND READING.

LOCAL BILLS

- S. 340 (CHEROKEE) AUTHORIZING DEPUTY SHERIFFS.(4/13) H-PASSED 2ND & 3RD READING.
S. 378 (SURRY) TAX LISTING BY MAIL. H-PASSED 2ND & 3RD READING.
S. 401 (HALIFAX) ROANOKE RAPIDS SCHOOL TAX. H-REPTD FAV.

- S. 405 (ALAMANCE, PENDER) WOUND REPORTS BY HOSPITALS. H-PLACED ON CAL FOR APR 28.
- S. 479 (HALIFAX) ROANOKE RAPIDS CITY COUNCIL. S-REPTD FAV AS AMENDED.
- H. 526 (GUILFORD) EMINENT DOMAIN BROADENED. H-PASSED 2ND & 3RD READING.
- H. 568 (WILKES) FOX HUNTING.(4/22) H-PASSED 2ND & 3RD READING.
- H. 589 (VANCE) AMBULANCE BILLS.(4/23) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 590 (FRANKLIN) YOUNGSVILLE ABC ELECTION. S-REC FROM HOUSE; S-REF TO COM ON ABC.
- H. 594 (POLK) TRYON SCHOOL BD. APPOINTMENTS. S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
- H. 603 (HALIFAX) COMMUNITY HOSPITAL TAX.(4/16) S-REPTD FAV.
- H. 621 (GASTON) LICENSING BAIL BONDSMEN.(4/23) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 631 (JONES, LENOIR) DRAINAGE DISTRICT ABOLISHED. H-PASSED 2ND & 3RD READING.
- H. 641 (MECKLENBURG) MINT HILL ABC PROFITS. S-REC FROM HOUSE; S-REF TO COM ON ABC.
- H. 643 (ROCKINGHAM) FIVE GALLON LIQUOR-MADISON. S-REC FROM HOUSE; S-REF TO COM ON ABC.
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- H. 659 (CRAVEN) NUMBERED SEATS IN ELECTIONS.(4/23) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 664 (POLK) SALUDA PROPERTY EXCHANGE. H-PASSED 2ND & 3RD READING.
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- H. 762 (EDGEcombe) EDGEcombe ED. BD.. H-PASSED 2ND & 3RD READING.
- #H. 766 (LINCOLN) LINCOLNTON ADMEND. SCHOOL UNIT.(4/21) RATIFIED CH. 232.

Next Sessions of Senate : 8:00 a.m., Saturday, April 24, 1971;
8:00 p.m., Monday, April 26, 1971.

Next Sessions of House : 9:30 a.m., Saturday, April 24, 1971;
8:00 p.m., Monday, April 26, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
P. O. BOX 7294, RALEIGH, N. C.
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BULLETIN NO. 74

-589-

MONDAY, APRIL 26, 1971

Note: The Senate convened at 8:00 a.m. and the House at 9:30 a.m. on Saturday, April 24, 1971, for consideration of local bills only. No bills were introduced and no calendar action was taken in either Chamber.

PUBLIC BILLS INTRODUCED

SENATE

S 483 Funding Dobbs School Chapel
Introducer: Larkins

APPROPRIATION
Sent to APPROPN

"To appropriate funds for the completion of the chapel at the Dobbs School for Girls in Kinston." Appropriates \$85,000 out of General Fund as title indicates.

S 484 Archives and History-law rewrite
Introducers: Futrell and Norton

GS 121
Sent to ST GOVT

"To amend G.S. Chapter 121 revising and clarifying the powers of the North Carolina Department of Archives and History." Rewrites GS 121-7 to provide that for purpose of protecting or preserving property of historical, archaeological, architectural or cultural importance Dep't of Archives and History may acquire, preserve, restore, hold, maintain, operate, or dispose of such property. Provides property may be real (fee or lesser interest) or personal and may be acquired by gift, grant, bequest, devise, lease, purchase, or condemnation (pursuant to Art. 2, GS 40). Rewrites GS 121-7.1 to provide that in case of realty, interest to be limited to that reasonably necessary to preserve property. Adds new GS 121-7.2 to -7.6, permitting Dep't to acquire or dispose of fee or lesser interest to property for purpose of conveying or leasing back to original owner or to any other person by private sale in way to assure its preservation. Provides property conveyed may be subject to such restrictions as Dep't may prescribe to effectuate preservation. Provides historical property acquired may be used by Dep't for any public purpose within its power, such property not to be subject to condemnation unless approved by Governor and Council of State. Permits Dep't to enter into contracts with Federal Gov't and to accept financial and other assistance and comply with reasonable conditions. Permits Dep't to assist any county, city, or other political subdivision, corporation or organization, or private individual in development of historical sites by providing portion of cost provided: (1) property is approved by Dep't according to criteria adopted by NC Advisory Council on Historic Preservation; (2) Dep't receives and considers recommendations of Advisory Council; and (3) Dep't finds feasible and practical method of providing funds. Provides that where assistance is to private owners, it shall be on condition that: (1) property is accessible to public; (2) expenditure is supervised by Dep't; and (3) expenditures are to be accounted to Dep't. Permits Governor and Council of State, upon recommendation of Dep't to allocate from Contingency and Emergency Fund amount sufficient to acquire option expiring 90 days after adjournment sine die of next General Assembly, or for immediate purchase of historical property. Provides that all funds hereinafter appropriated are to be administered pursuant to Art. 1 of GS 143, unless statute making appropriation provides otherwise.



Permits Dep't, after approval of Governor and Council of State, to exercise power of condemnation in name of State. Rewrites GS 121-8 establishing NC Advisory Council on Historic Preservation (succeeds Historic Sites Advisory Committee) composed of 12 members as follows: 7 members of Executive Bd., ex officio, of Dep't; State Budget Officer; State Property Control and Construction Officer; one member appointed biennially by Governor, who shall be member of NC Chapter of American Institute of Architects; one member appointed biennially by Governor, who shall be member of American Ass'n of Museums; and one archaeologist appointed by Director of Dep't. Provides Chairman and Vice-Chairman of Executive Bd. of Dep't to serve, ex officio, as Chairman and Vice-Chairman of Council; and Director of Dep't, or his designee, to serve as Secretary of Council. Provides this office may be held concurrently with any other office, members to hold office until successors qualify (vacancies to be filled in same manner as original appointment and for balance of unexpired term.) Provides it is duty of Council to provide advisory and coordinative mechanism to discuss potentially harmful undertakings. Requires Council to act with reasonable diligence to insure all State departments potentially affected by GS 121-7 through 121-8.3 are kept informed about historic places. Requires Council to prepare and adopt criteria for evaluation of all historical and potential historical sites. Requires Council to make report on all property for which State aid or appropriations are proposed, setting forth the following: (1) whether property is historically authentic; (2) whether it is of such educational, historical, or cultural significance as to be essential to development of balanced program; (3) estimated total cost; (4) whether practical plans may be developed for funding of non-State portion of cost; (5) whether practical plans have been developed for staffing, maintenance and operation without State assistance; and (6) further comments and recommendations of Council. Requires Director of Dep't to furnish chairmen of legislative committees to which is referred any bill seeking appropriation of State funds for purpose of assisting historical property, at least 5 copies of the report of the Council. Rewrites GS 121-13 to provide for portrait of each Governor to be made and placed in Dep't or other appropriate State building in Raleigh, the cost of such portrait not to exceed \$12,000 (now, \$4,000). Requires Dep't to care for State Capitol, subject to availability of funds, and to preserve it as historic shrine, with the aid of such labor that may be made available to Dep't by Dep't of Administration. Requires copy of all official messages of Governor be delivered to Dep't and from these, a "skilled and competent editor" shall compile and publish them, funds to be from the Contingency and Emergency Fund. Provides that all provisions are severable in case one part is declared unconstitutional or invalid.

S 485 Ch. 208, SL 1971-correction
Introducer: Staton

GS 20
Sent to JUDIC 1

"To correct an incorrect statutory reference in Chapter 208 of the Session Laws of 1971." Amends Sec. 1 1/2(b), Ch. 208, SL 1971 (S214) to make it refer to GS 20-17.1(a) (now, GS 20-17(a)).

S 486 Reformatories-law rewrite
Introducer: Gudger

GS 134
Sent to CORRECTN

"To rewrite Chapter 134 of the General Statutes entitled 'Reformatories.'" Reorganizes Chapter 134 making certain technical and language changes and deletes Articles dealing with specific training schools, their organization and procedures. Consolidates and lists all training schools now under supervision of Bd. of Juvenile Correction in one section and adds by name the Samuel Leonard School, the Juvenile Evaluation Center at Swannanoa, and the Dillon School at Butner. Provides the Bd. may not authorize the consolidation or abandonment of any school under its jurisdiction. Heads of schools to be called directors rather than superintendents. Provides that persons reaching 18 years of age (now 21) shall be finally discharged from schools except as provided in GS 7A-286 (persons may continue in school when

involved in vocational training). Provides that boys may be committed upon voluntary application (now, girls only). Adds general section on education and training that calls for schools to develop and offer various types of academic and vocational education, clinical and medical services, evaluation and diagnostic programs, and rehabilitation programs. Adds section encouraging visits by parents of inmates, visits by inmates to homes of neighboring citizens who volunteer counselling services, and conditional releases. Adds section providing that upon final release all rights of citizenship otherwise forfeited shall be automatically restored and the Comm'r of Juvenile Correction shall issue a certificate to that effect.

S 487 Patrolmen's equipment-disposition
Introducer: Bowles

GS 20
Sent to HY SAFTY

"To amend Article 4 of Chapter 20 of the General Statutes to provide for gift of badge and service revolver to widows or survivors of State Highway Patrolmen killed in line of duty and to provide for purchase by members of Patrol of certain items of equipment." Adds new GS 20-187.2 providing (1) gift of badge and revolver to widows or survivors of Patrolmen killed in line of duty, (2) retiring members may purchase at prevailing price badge and service revolver used while on active duty, and (3) Patrolmen upon change of type of revolvers may purchase at prevailing price gun formerly used.

HOUSE

H 791 Honoring Libby Childress
Introducer: Marion

MISC RES
Passed three readings
and sent to Senate

"Honoring Libby Childress." Honors Libby Childress, Mount Airy, NC, 1970 National Spelling Champion.

H 792 Handicapped-no gov't discrim.
Introducer: Beatty

GS 128
Sent to JUDIC 2

"To make it unlawful to discriminate against physically handicapped persons in activities in which public funds are used." Adds new GS 128-15.3 prohibiting discrimination against any person in any manner because of any physical defect or impairment in activities or enterprises financed in whole or part by public funds. Prohibition not applicable if handicapped person is prevented to some degree by physical defect from benefitting from, or performing as required in, the activity or enterprise. Effective July 1, 1971.

H 793 Members-housing & redev. groups
Introducer: S. Johnson

GS 157, 160
Sent to JUDIC 1

"To amend Chapters 157 and 160 of the General Statutes to authorize an increase in the membership of housing authorities and redevelopment commissions." Amends GS 157-4 and GS 157-5 in appropriate places to permit housing authorities of not less than five nor more than nine members (now, five). Provides council may by resolution or ordinance at any time increase or decrease membership of authority within prescribed limits, and requires mayor to designate overlapping terms of one to five years for commissioners first appointed. Makes majority of commissioners constitute quorum (now three). Amends GS 160-458 (redevelopment commissions membership) to provide for not less than five nor more than nine members (now five), and empowers governing body at any time by resolution or ordinance to change membership within prescribed limits. Amends GS 160-459 to require mayor and governing body designate overlapping terms of one to five years for members first appointed, and makes quorum consist of majority of members.

H 794 Funds-local environmental health
Introducer: Wynne

APPROPRIATION
Sent to APPROPN

"To appropriate \$1,117,800 to the State Board of Health for the purpose of improving local environmental health services." As title indicates, appropriates from General Fund \$558,900 for year beginning July 1, 1971 and same amount of year beginning July 1, 1972. Effective July 1, 1971.

H 795 State purchases and contracts (Iden. S 475)
Introducers: Barbee and others

GS 143
Sent to ST GOVT

"To rewrite Article 3 of Chapter 143 of the General Statutes relating to purchases and contracts by the State." Identical with S 475 digested in Bull. No. 72, p. 565.

H 796 Discharge of lien by bond
Introducer: Miller

GS 44A
Sent to JUDIC 2

"To amend G.S. 44A-16 relating to the discharge of materialmen's liens."
Adds new GS 44A-16(6) providing that clerk of superior court shall cancel materialmen's liens of record when a corporate surety bond in amount equal to amount of lien and conditioned upon payment of the lien is deposited with him.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

None

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 213 Technical changes-courts (digested in Bulletin No. 36, p. 253; amendments digested in Bulletin No. 58, p. 425)

Amendment adopted in House 4/26/71 makes technical changes and also adds new GS 7A-305.1 providing when discovery procedures under Rule 27 are utilized and civil action not subsequently initiated, \$20.00 shall be assessed for support of General Court of Justice, to be collected by Clerk at time of filing verified petition.

S 479 Roanoke Rapids city council (digested in Bulletin No. 72, p. 571) Technical amendments adopted in Senate 4/26/71.

HOUSE BILLS

H 735 Study comm'n-election abuses (digested in Bulletin No. 68, p. 527).

Amendment adopted in House 4/26/71 changes daily compensation of members from \$15 to same rate paid members of other boards and comm'ns.

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 42 CONGRESSIONAL DISTRICTS.(2/19) H-REPTD FAV.
 S. 75 TESTAMENTARY GIFTS TO MINORS.(3/05, 4/23) S-REC TO CONCUR IN H AMEND; S-PLACED ON CAL APR. 27.
 S. 93 CIVIL PROCEDURE REVISION.(4/01) H-PASSED 2ND READING.
 S. 95 COSTS-OF-COURT CHANGES.(4/02) H-POSTPONED TO APRIL 27.
 S. 206 BOAT LIFESAVING DEVICE.(4/15) H-POSTPONED TO APRIL 29.
 S. 209 FREE OLDSTER FISH-HUNT LICENSE. H-PASSED 2ND & 3RD READING.
 S. 213 TECHNICAL CHANGES-COURTS.(4/02, 4/26) H-COM AMEND ADOPTED; H-PASSED 2ND READING.
 S. 387 CREATING NC MANPOWER COUNCIL.(4/23) H-FAILED CONCUR IN H AMEND; H-PASSED 3RD READING.

 H. 78 WORTHLESS CHECK LAW.(3/09, 3/25) S-PASSED 3RD READING.
 H. 111 \$300 AUTO ACCIDENT REPORTS.(3/24, 4/23) H-PASSED 2ND & 3RD READING.
 H. 155 NUISANCES-PUBLIC MORALS.(4/22) H-RE-REF TO COM ON JUDIC 1.
 H. 199 PAR BANKING.(4/06, 4/06) S-PASSED 3RD READING.
 H. 288 GAME CARCASS TAGS. H-POSTPONED TO APRIL 29.
 H. 289 BOAT LIFESAVING DEVICES. H-POSTPONED TO APRIL 29.
 H. 314 BEAR KILLING PENALTY. H-PASSED 2ND READING.
 H. 328 FIREHOUSE DRIVEWAY PAVING.(4/23) S-REC FROM HOUSE; S-REF TO COM ON ROADS.
 H. 449 SCHOOL BUS STOP CHANGES.(4/09, 4/22) H-CONCURRED IN S AMEND.
 H. 455 EMPLOYING MINORS-PHYSICAL EXAM.(S-REC FROM HOUSE; S-REF TO COM ON MFG LABR.
 H. 457 AID-TO-BLIND ADMINISTRATION. S-REC FROM HOUSE; S-REF TO COM ON PUB HLTH.
 H. 458 AID-TO-BLIND, TECHNICAL CHANGES. S-REC FROM HOUSE; S-REF TO COM ON PUB HLTH.
 H. 466 REGIONAL JAIL OPERATIONS.(4/05) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
 H. 468 REGULATING SUBDIVISION SALES. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
 H. 498 CORPORATE STAMPS FOR SEALS.(4/22) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
 H. 532 CONTRACTOR LICENSE CHANGES. S-PASSED 2ND & 3RD READING.
 H. 544 PROTECTING RIVER/DEER, BLADEN. S-REC FROM HOUSE; S-REF TO COM ON WILDLIFE.

- H. 545 COSMETIC ART EXAMINERS-SALARY. S-REC FROM HOUSE; S-REF TO COM ON ST GOVT.
- H. 577 ARREST OF TRAMPS. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.
- H. 578 INJURIES BY TRAMPS. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.
- H. 626 ABORTIONS RESIDENCY, MD REQUIREMENT. H-PASSED 3RD READING.
- H. 636 CHILD ADOPTION-MINOR STEPPARENT. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.
- H. 653 (J.RES.) WORLD LAW AND ORDER. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
- H. 673 SCHOOL BUS OPERATORS CERTIFICATION. S-REC FROM HOUSE; S-REF TO COM ON HWY SAFTY.
- H. 686 DISPOSING OF ABANDONED VEHICLES. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 689 HIRING CERTAIN SERVANTS. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.
- H. 690 PROSECUTING OFFICER-ESCAPEES. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
- H. 707 (J.RES.) MEMORIALIZING HOYLE. S-REPTD FAV.
- H. 718 GIFTS TO WILDLIFE COMMISSION. S-REC FROM HOUSE; S-REF TO COM ON WILDLIFE.
- H. 721 (J.RES.) STUDY SIMPLIFIED STATE TAX RETURN. S-REC FROM HOUSE; S-REF TO COM ON FINANCE.
- H. 733 JOB CERT. FOR MINORS BY DOCTORS. S-REC FROM HOUSE; S-REF TO COM ON MFG LABR.
- H. 735 (J.RES.) STUDY COMM'N-ELECTION ABUSES.(4/23, 4/26) H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING.
- H. 791 (J.RES.) HONORING LIBBY CHILDRESS. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 392 (BUNCOMBE) DEED INDEX BOOKS. S-REPTD FAV.
- S. 401 (HALIFAX) ROANOKE RAPIDS SCHOOL TAX. H-PASSED 2ND READING.
- S. 425 (RICHMOND) SHERIFF SALARY. S-REPTD FAV.
- S. 448 (DAVIDSON) THOMASVILLE CITY LIMITS. S-REPTD FAV.
- S. 479 (HALIFAX) ROANOKE RAPIDS CITY COUNCIL.(4/26, 4/26) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.

- H. 228 (BUNCOMBE) INCORPORATING WOODFIN.(4/13, 4/13) S-REPTD FAV AS AMENDED.
- H. 526 (GUILFORD) EMINENT DOMAIN BROADENED. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 568 (WILKES) FOX HUNTING.(4/22) S-REC FROM HOUSE; S-REF TO COM ON WILDLIFE.
- H. 597 (MONTGOMERY) BISCOE STREET & SEWER CONNECTIONS. S-REPTD FAV.
- H. 603 (HALIFAX) COMMUNITY HOSPITAL TAX.(4/16) S-PASSED 2ND READING.
- H. 607 (CHEROKEE) BD COMM'RS ELECTION DISTRICTS. S-REPTD FAV.
- H. 608 (HAYWOOD) COUNTY HOSPITAL TREASURER. S-REPTD FAV.
- H. 609 (ALAMANCE) BURLINGTON-ALAMANCE AIRPORT AUTHORI. S-REPTD FAV.

- H. 615 (JOHNSTON) GARBAGE COLLECTION REGULATION. S-REPTD FAV.
- H. 618 (CRAVEN) TRENT WOODS TAXING POWER.(4/16) S-REPTD FAV.
- H. 621 (GASTON) LICENSING BAIL BONDSMEN.(4/23) S-REC FROM HOUSE;
S-REF TO COM ON LOC GOVT.
- H. 623 (DUPLIN) WARSAW POLICE JURISDICTION. S-REPTD FAV.
- H. 631 (JONES, LENOIR) DRAINAGE DISTRICT ABOLISHED. S-REC FROM
HOUSE; S-REF TO COM ON JUDIC 1.
- H. 634 (JOHNSTON) OFFICE OF TREASURER ABOLISHED. S-REPTD FAV.
- H. 638 (BRUNSWICK) TAX LISTING REGULATIONS. S-REPTD FAV.
- H. 640 (CLEVELAND) STREET IMPROVEMENT-SHELBY.(4/16) S-REPTD FAV.
- H. 645 (GASTON) RURAL POLICE DEP'T. S-REPTD FAV.
- H. 646 (PENDER) TOPSAIL BEACH,SURF CITY POLICE. S-REPTD FAV.
- H. 656 (NEW HANOVER) URBAN DEVELOPMENT-PRIVATE SALES. S-REC FROM
HOUSE; S-REF TO COM ON JUDIC 1.
- H. 657 (NEW HANOVER) SCHOOL TEACHER PENSIONS. S-REC FROM HOUSE; S-REF
TO COM ON LOC GOVT.
- H. 664 (POLK) SALUDA PROPERTY EXCHANGE. S-REC FROM HOUSE; S-REF TO
COM ON LOC GOVT.
- H. 667 (COLUMBUS) WHITEVILLE FIREMEN RETIREMENT FUND. S-REC FROM
HOUSE; S-REF TO COM ON LOC GOVT.
- H. 669 (CUMBERLAND) AIR RIFLES RESTRICTED. S-REC FROM HOUSE; S-REF
TO COM ON LOC GOVT.
- H. 671 (WILKES) NORTH WILKESBORO ANNEXATION. H-PASSED 3RD READING.
- H. 675 (ORANGE) TAX LISTING. H-PASSED 3RD READING.
- H. 702 (BRUNSWICK) OCEAN ISLE ABC PROFITS. S-REC FROM HOUSE; S-REF
TO COM ON LOC GOVT.
- H. 703 (BRUNSWICK) LONG BEACH ABC PROFITS. S-REC FROM HOUSE; S-REF
TO COM ON LOC GOVT.
- H. 710 (GREENE) NO RACCOON HUNTING. S-REC FROM HOUSE; S-REF TO COM
ON WILDLIFE.
- H. 719 (LINCOLN) CHAMBER OF COMMERCE DUES. S-REC FROM HOUSE; S-REF
TO COM ON LOC GOVT.
- H. 722 (COLUMBUS) DEP'T OF COMMUNITY AFFAIRS.(4/23) S-REC FROM
HOUSE; S-REF TO COM ON LOC GOVT.
- H. 725 (NEW HANOVER) COUNTY COMM'RS APPOINT AUDITOR. S-REC FROM
HOUSE; S-REF TO COM ON LOC GOVT.
- H. 726 (NEW HANOVER) COUNTY MOSQUITO CONTROL PROGRAM. S-REC FROM
HOUSE; S-REF TO COM ON LOC GOVT.
- H. 729 (JOHNSTON) BAIL BONDSMEN & RUNNERS. S-REC FROM HOUSE; S-REF
TO COM ON LOC GOVT.
- H. 731 (WILSON) BOARD OF EDUCATION ELECTION. S-REC FROM HOUSE; S-REF
TO COM ON LOC GOVT.
- H. 732 (PERQUIMANS) WINFALL CHARTER REVISION. H-PASSED 3RD READING.
- H. 734 (MECKLENBURG) CHARLOTTE SYMPHONY FUNDS. S-REC FROM HOUSE;
S-REF TO COM ON LOC GOVT.
- H. 741 (RUTHERFORD) COUNTY AIRPORT AUTHORITY. H-PASSED 3RD READING.
- H. 744 (HALIFAX) HALIFAX HUNTING ON HIGHWAYS. S-REC FROM HOUSE; S-REF
TO COM ON WILDLIFE.
- H. 762 (EDGEcombe) EDGEcombe ED. BD.. S-REC FROM HOUSE; S-REF TO
COM ON EDUCATN.

Next Sessions of Senate and House: 12:00 Noon, Tuesday, April 27, 1971.

DAILY BULLETIN

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BULLETIN NO. 75

- 597 -

TUESDAY, APRIL 27, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 488 Plant pest control
Introducer: White

GS 106
Sent to AGRICULT

"Amending Article 36 of Chapter 106 of the General Statutes relating to the control of plant pests by the Department of Agriculture." Adds GS 106-419.1 and -420.1 directing that any plant or plant product that has been or that the Comm'r of Ag. reasonably believes has been exposed to a plant pest be treated as a plant pest for purposes of GS Ch. 106, Art. 36, and authorizes NC Bd. of Ag. to enter into agreements with agencies of US and other states for preventing and eradicating plant pests. Authorizes Comm'r of Ag. to enter into agreements with local governmental units for same purposes.

S 489 Licensing livestock dealers
Introducer: White

GS 106
Sent to AGRICULT

"To provide for the licensing by the Department of Agriculture of livestock dealers." Adds new Art. 35A to GS Ch. 106 establishing under supervision of Dep't of Ag. a system for licensing and regulating all livestock dealers except (1) those covered by Public Livestock Markets Act (GS Ch. 106, Art. 35) and (2) persons who sell or trade livestock that they own or have raised and have had in their possession for at least 30 days, and who are not in the business of selling or trading livestock. Requires persons subject to Act to obtain license to deal in livestock from Comm'r of Ag., such license to be renewed annually. License fee \$10, renewal fee \$5. Application for license must be accompanied by performance bond in amount of \$10,000, or more if required by Comm'r, or a statement that applicant is bonded in accordance with the federal Packers and Stockyards Act. Comm'r may suspend, and, after a hearing, revoke any license issued on finding that licensee is conducting business when his current liabilities exceed current assets, when he has made a false statement in any statement filed with Dep't of Ag., or when he fails (without valid legal grounds) to pay any financial obligation incurred in connection with a livestock transaction. Licensee given right to judicial review of license revocation. Licensees required to keep complete records of all livestock transactions. Violation of act a misdemeanor, first offense punishable by imprisonment not to exceed 6 months or fine not to exceed \$1,000, or both; second or subsequent offense punishable by imprisonment not to exceed 2 years or fine of \$10,000, or both.

S 490 Abolishing gov't'al immunity
Introducer: Burney

GS 143
Sent to JUDIC 2

"To abolish governmental immunity in tort." Repeals GS 143-291 through 143-300 providing for tort claims against State, (except that they remain in effect as to all claims accruing prior to effective date of act).



Adds new GS 143-300.01 providing NC consents to actions against it for acts or omissions (governmental or proprietary) by its officers and agents acting in course and scope of employment to same extent as for private person. Repealer and new section to be effective upon ratification and applicable to all causes of action accruing on and after date of ratification.

Repeals GS 143-300.1 providing for tort claims against county boards of education (except that it remains in effect as to all claims accruing prior to effective date of act). Adds new Chapter 158A abolishing governmental immunity of local political subdivisions and making them liable to same extent as private person for intentional, wrongful and negligent acts and omissions of their agents, officers or employees. Defines "agents, officers or employees" as persons who perform functions within regular course of business, whether functions are proprietary or governmental, regardless of whether persons are paid by local political subdivision. Defines "local political subdivision" as department, institution, agency, unit or body of persons created by statute and supported by tax or other State or local government revenue, including counties, municipalities, sanitary districts, governmental hospital or housing authorities and joint activities by two or more local governmental units. New Chapter 158A effective July 1, 1971.

S 492 Controlling organized crime
Introducers: Joyner and others

GS 114
Sent to JUDIC 1

"To authorize the Attorney General to institute a civil action to revoke the charter of corporations and to enjoin the operation of businesses controlled by or engaged in organized crime." Adds new Article 5 to GS Ch. 114. Authorizes Attorney General to institute civil proceedings in superior court to forfeit charter of domestic corporation or to revoke certificate of foreign corporation to conduct business in NC when: (1) any of corporate officers or management-control personnel, with knowledge of president and majority of bd. of directors (or where majority of bd. of directors should have knowledge) are engaged in organized activities such as violent revolutionary or unlawful activity aimed at overthrow of government of NC or any political subdivision, institutions, or agencies thereof, homosexuality, crimes against nature, prostitution, gambling, narcotics, extortion or embezzlement or who is connected directly or indirectly with organizations, syndicates or criminal societies engaging in such activities; and (2) directors, officers, employees, agents or stockholders acting on behalf of such corporations have purposely engaged in persistent course of violent revolutionary or unlawful activity aimed at overthrow of government of NC or political subdivisions, institutions or agencies thereof, or in homosexuality, crimes against nature, intimidation and coercion, bribery, prostitution, gambling, extortion, embezzlement, unlawful sale of narcotics, or "other such illegal conduct," with knowledge of president and majority of bd. of directors (or where they should have known) with intent to compel or induce other persons to deal with such corporations; (3) the public interest requires revocation for prevention of future illegal conduct of same character.

Authorizes AG to institute civil proceedings against any other business, such as partnership, joint venture, association, organization, or sole proprietorship when: (1) person in control of such business has purposely engaged in persistent course of violent revolutionary or unlawful activity aimed at the overthrow of the government of NC or any political subdivision, institution or agency thereof, or in homosexuality, crimes against nature, intimidation, coercion, bribery, prostitution, gambling, extortion, embezzlement, unlawful sale of narcotics or other such illegal conduct, with the intent to compel other persons to engage in such illegal conduct; and (2) the public interest requires the operation of the business to be enjoined for the prevention of future illegal conduct of same character.

Provides that proceedings may be instituted in any county in which business operates; proceedings to be additional to other method revoking or forfeiting charters and certificates. Gives AG power to investigate affairs of all corporations or persons doing business within NC, pursuant to GS 75-10, which "are or may be embraced within the meaning of this Article" and authorizes him to prosecute civil actions in name of NC, to obtain mandatory order (including, but not limited to, permanent or temporary injunctions and temporary restraining orders), venue to be any county selected by AG. Gives immunity from criminal prosecution to any natural person who discloses information to AG upon examination by AG.

S 493 UNC-C student union funds
Introducer: Moore

APPROPRIATION
Sent to APPROPN

"To amend Chapter 755 of the 1969 Session Laws to provide change only with respect to a self-liquidating student union at the University of North Carolina at Charlotte." As title indicates, changes 1969 capitol improvements appropriation bill but student union continues on self-liquidating basis.

S 494 Returning stolen property
Introducer: Moore

GS 91
Sent to JUDIC 1

"To require pawnbrokers to deliver suspected stolen property to clerk of court for return to lawful owner." Adds new section to GS Ch. 91 providing that, upon request of clerk of superior court of judicial district in which pawnbroker has place of business or suspected stolen property, pawnbroker shall turn over such property to clerk and clerk shall deliver it to lawful owner (if identifiable). Gives pawnbroker right of action for damages against person pawning such property. Requires clerk to return property to pawnbroker if lawful owner not found within 6 months.

S 495 UNC Public Health-funds
Introducer: McGeachy

APPROPRIATION
Sent to APPROPN

"Appropriating funds to the University of North Carolina at Chapel Hill for the construction of an addition to the School of Public Health Building." Appropriates from General Fund \$1,148,000 in 1971-3, appropriation conditioned on availability of approximately \$3,444,000 in matching federal funds, for additional building at UNC School of Public Health. Effective July 1, 1971.

S 496 Teachers' term, pay
Introducers: Staton and others

GS 115
Sent to EDUCATN

"To rewrite G.S. 115-157 to provide ten months employment for all regular state allotted teachers; twelve months employment for all supervisors and classified principals; ten months employment for janitors and maids; and to appropriate funds to provide for these purposes." Provides for terms of employment as title indicates and appropriates from General Fund \$34,795,094 in 1971-2 and \$34,514,540 in 1972-3 for salaries of academic teachers, occupational education teachers, driver training teachers, classified principals, supervisors, and janitors and maids. Effective July 1, 1971.

S 497 Higher ed.-bonds, assistance (Iden. H 804)
Introducers: Kirby and others

GS 116
Sent to HIGHR ED

"To amend Article 23 of Chapter 116 of the General Statutes relating to the State Education Assistance Authority, to vest additional authority to issue revenue bonds and revenue refunding bonds and to authorize a program for grants and other assistance to residents of the State for education beyond the high school level." Identical with H 804 digested in the House section of today's Bulletin.

HOUSE

H 797 (Joint Resolution) Honoring Southport MISC RES
Introducers: Harrelson and Soles
Passed three readings and
sent to Senate

"Honoring the Town of Southport." As title indicates.

H 798 (Joint Resolution) Honoring furniture industry MISC RES
Introducer: Kemp
Passed three readings and
sent to Senate

"Honoring the furniture industry in North Carolina upon the opening of 'Furnitureland Show, USA'." As title indicates.

H 799 Prison labor-study comm'n MISC RES-STUDY
Introducers: Tart and H. Rountree
Sent to CORRECTN

"Establishing a commission to study the use of prison labor in competition with private enterprise in North Carolina." Creates nine-member commission to make comprehensive study of extent of all enterprises operated by or under NC Dep't of Correction utilizing prison labor. Study to focus on need for such enterprise, its rehabilitative effects, and extent to which its operation affects NC business and consuming public. Requires members be appointed as follows: three by Governor (one to be chairman), three by Lieutenant Governor, and three by Speaker of House. Authorizes expenses to be paid from Contingency and Emergency Fund pursuant to GS 143-12, and members who are not officers or state employees to be paid same per diem expenses as provided for members of NC boards generally. Directs Dep't of Correction and all other NC agencies to cooperate with Comm'n. Provides Comm'n terminates upon filing of final recommendations and report, with legislative recommendations, to 1973 Gen. Assemb.

H 800 Real property marketability GS 47
Introducers: Barker and others
Sent to JUDIC 2

"To provide for the marketability of real property in the State of North Carolina." Adds new Chapter 47B (Marketable Title to Realty). Declares purpose of new chapter to extinguish certain conflicting claims of title to property, so that, if person claims title to realty under chain of record title held for 30 years and no other persons have filed claim during the period, all conflicting claims based on title transaction prior to period are extinguished. Provides any person capable of owning realty in NC who has had vested interest for 30 years or more has marketable title to such interest. Provides person has interest of record for 30 years or more when public records disclose title transaction affecting title for not less than 30 years purporting to create interest in (1) person claiming such interest, or (2) some other person from whom such interest has passed to person claiming such title, with nothing in record appearing to divest him of title. Provides marketable record title to be free and clear of all rights, estates, interests, claims or charges occurring prior to such period, provided marketable record title shall not affect (1) certain interests inherent in muniments of title of which chain is formed; (2) interests preserved by filing proper notice provided for in bill; (3) interests of person in present, actual and open possession as long as that person is in possession; (4) interests of person who likewise has marketable title under bill and who is listed as owner of such property on tax books;

(5) rights of owners of mineral rights and public easements where rights are duly recorded; (6) interests of US to extent prohibited by federal law; (7) interests created subsequent to such 30-year period; and (8) deeds of trust duly recorded and not otherwise unenforceable. Provides interest may be retained by registering (within such 30-year period) acknowledged written notice in office of register of deeds setting forth nature of claim. Requires notice to be registered by claimant or one in his behalf if claimant is under a disability, unable to assert claim on his behalf or one of a class whose identity cannot be established with certainty. Requires notice to contain description of realty, name of any record owner at time notice is registered and statement showing nature of such claim. Requires register of deeds to accept and record all notices presented and to record them under grantee index. Provides if 30 years have expired prior to Oct. 1, 1970, no interest shall be barred until Oct. 1, 1974. Forbids asserting false claims and provides court may award cost, including reasonable attorney fees, and treble damages to prevailing party in litigation involving false claims. Provides bill does not affect any statute of limitations. States bill to be liberally construed. Effective July 1, 1971.

H 801 Ind'l revenue-antipollut. facils.
Introducers: Roberson and others

GS 159A
Sent to CONS&DEV

"Authorizing the creation in counties of pollution abatement and industrial facilities financing authorities." Adds new GS Ch. 159A ("North Carolina Pollution Abatement and Industrial Facilities Financing Act") authorizing counties to establish industrial bond authorities to be known as County Pollution Abatement and Industrial Facilities Financing Authority, the creating ordinance to state whether Authority may issue bonds for pollution control or industrial facility financing or both. Act prescribes number of members of Authority, terms, and oath requirements. After creation of Authority, county must apply to Dept. of C & D for determination that proposed operation of Authority is for public purpose, Dept's determination subject to judicial review. Sets forth powers of Authority, including power to sue and be sued, lease and exchange property, issue bonds, and construct and acquire projects, as defined. Authority not to have power of eminent domain. Specifies in detail what lease agreements the Authority may enter into with regard to its projects, and the covenants such leases must contain. Exempts Authority's property from taxation. Provides for construction contracts by Authority. Prohibits any officer or employee of Authority from having conflict of interests in contract made or property leased or owned by Authority. Provides that bonds issued by Authority not to be deemed debt of NC or pledge of (NC's faith and credit) or of faith and credit of political subdivision. Requires Authority bonds to be at rate of interest determined by Authority, as agreed upon by the lessee, and within the limitation of GS 24-1.1, and to mature within maximum of 40 years. Sets forth detailed provisions concerning trust agreements, remedies of bondholders, and eligibility of loans for investment by fiduciaries. Requires each bond issue be approved by Dir. of C & D. Contains detailed definitions of key terms including "costs" of projects, "projects", and "distressed areas".

H 803 County fire equipment funds
Introducers: McFadyen and others

APPROPRIATION
Sent to APPROPNR

"To appropriate funds to the Department of Conservation and Development for purpose of providing firefighting equipment for Hoke and Cumberland Counties." Appropriates \$54,448 for fiscal 1971-72 and \$13,668 for fiscal 1972-73 from General Fund to Dept. C & D (forestry div.) for purchasing and manning firefighting equipment for Hoke and southeast Cumberland counties.

H 804 Higher ed.-bonds, assistance (Iden. S 497)
Introducers: Phillips and others

GS 116
Sent to HIGHR ED

"To amend Article 23 of Chapter 116 of the General Statutes relating to the State Education Assistance Authority, to vest additional authority to issue revenue bonds and revenue refunding bonds and to authorize a program for grants and other assistance to residents of the State for education beyond the high school level." Rewrites Art. 23 of GS Ch. 116 to authorize system of financial assistance, consisting of grants, loans, work-study or other employment and other aids to qualified NC residents to enable them to obtain education beyond high school by attending public or private educational institutions. (Defines private institution to exclude seminary, Bible school or college, or similar religious institution.)

Rewrites GS 116-206 to empower NC Educ. Assistance Auth. to acquire (with proceeds of bonds or any other funds available to it) from any bank, insurance company or other lending institution financial obligations of students, or any interest or participation therein, in such amount and at prices and terms decided upon by Auth. Permits Auth. to take appropriate action and/or require execution of legal instruments to permit recovery of obligations.

Rewrites GS 116-209.2 to permit Auth. to direct that proceeds of bonds be used to establish reserve accounts for securing bonds and facilitating making student loans and acquiring student obligations, to provide for payment of interest on such bonds and for other purposes which facilitate issuance of bonds at reasonable interest rates and terms. Adds to GS 116-209.3. (establishing NC Educ. Assist. Auth. Loan Fund) provision empowering Auth. to establish, in addition to loan fund, other trust funds or accounts for securing bonds, making student loans, acquiring student loan obligations or otherwise carrying out its powers.

Amends GS 116-209.4 to provide for issuance of Auth. revenue bonds in aggregate outstanding principal amount not in excess of fifty million dollars (now, twelve and one-half million dollars). Provides bonds of each issue shall mature at time determined by Auth., not to exceed 30 years from issue date (now, 20 years). Allows issuance of interim receipts or temporary bonds, exchangeable for definitive bonds when available for delivery. Adds provision empowering Auth. to issue revenue refunding bonds.

Permits bonds issued under bill to be secured by trust agreement between Auth. and corporate trustee (any trust company or bank having powers of trust company, within or without NC). Permits trust agreement to provide for protecting and enforcing rights and remedies of bondholders, including covenants setting forth Auth.'s duties in relation to student loans, acquisition of obligations, insurance, fees, penalties and other charges to be fixed and collected, sale or purchase of obligations or part thereof or other property, terms and conditions for issuance of additional bonds, and custody, safeguarding and application of all moneys. Trust agreement may set forth rights and remedies of bondholders and trustees and may restrict individual right of action by bondholders. Empowers Auth. to pledge to payment of principal and interest on bonds any moneys received under Gen. Ass'm's appropriation, unless restricted by Gen. Ass'm.

Amends GS 116-209.9 making all bonds negotiable instruments but exempting them from provisions of Uniform Commercial Code requiring filing of financial statement to perfect security interest. Adds new GS 116-209.16 thru -209.23 granting Auth. all powers not specifically enumerated, necessary or convenient to carry out bill. Directs Auth. to establish statewide student assistance program for needy undergraduates at public or private institutions in NC, provided no student shall be eligible to receive benefits for total of more than 45 months of full-time post-high school level education. Empowers Auth. to receive funds from Gen. Ass'm. and other public or private sources, establish criteria to determine student need and who shall receive grants, prescribe form and regulate submission of applications, make grants under terms and conditions deemed advisable, encourage educational institutions to increase own resources available for financial assistance, and serve as agency to administer statewide student assistance programs as may be established under federal law.

Provides that amount of grant to any student, whether in private or tax-supported public institution, shall be determined on basis of substantially same standards as set forth in Auth's rules, but grants to students enrolled in private institutions may be increased to compensate for average annual NC appropriated tuition subsidy as determined by Advisory Budget Commission in accordance with procedure outlined in bill. Effective July 1, 1971.

H 805 Nonresident stock transfers
Introducer: Long

GS 105
Sent to FINANCE

"To amend the Revenue Act to eliminate the requirement that personal representatives of nonresident decedents obtain release from Commissioner of Revenue for transfer of corporate stocks and bonds of North Carolina corporations owned by nonresident decedents." As title indicates.

LOCAL BILLS INTRODUCED

SENATE

S 491 Tryon charter
Introducer: Alley

POLK
Sent to LOC GOVT

"To revise and consolidate the Charter of the Town of Tryon and to repeal prior charter acts." Rewrites and consolidates charter of Tryon. Provides council-manager form of government, with mayor and 3-member bd. of comm'rs. Grants town standard powers of incorporated municipalities. Contains provisions for town boundaries, elections, and appointment of town manager, attorney, clerk, tax collector and accountant. Provides for zoning and police jurisdiction. Provides for street, sidewalk, water and sewer improvements and assessments. Establishes procedure for making tort claims.

HOUSE

H 802 Student due process-hearing
Introducers: F. Farmer and McKnight

FORSYTH
Sent to EDUCATN

"To provide for a hearing before a student may be suspended over ten school days or expelled from school in the Winston-Salem/Forsyth County schools." Amends GS 115-147, adding provisions for hearing for students before the ed. bd. prior to expulsion or suspension for over ten school days. Provides for hearing officer or hearing board (if so provided by board of education) to hear evidence and make finding of facts to be transmitted to superintendent. Provides for appeal to ed. bd., if decision is by hearing officer or hearing board, and permits ed. bd. to adopt rules and regulations necessary to implement hearing procedure. Repeals GS 115-34 (right of appeal from school personnel to board of education and from board of education to superior court, applicable to all NC county ed. bds.).

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 93 Civil procedure revision (digested in Bulletin No. 15, p. 96)
Technical amendment adopted in House 4/27/71.

S 317 Workmen's compensation-diseases (digested in Bulletin No. 51, p. 363)
Committee substitute adopted in Senate 4/27/71 completely rewrites GS 97-53(13) to provide that it shall include among occupational diseases caused by exposure to chemicals "any disease (other than hearing loss covered in another subsection) which is proven to be due to causes and conditions which are characteristic of and peculiar to a particular trade, occupation or employment, but excluding all ordinary diseases of life to which the general public is equally exposed outside of the employment." (Original bill covered "any abnormal condition".)

HOUSE

H 155 Nuisances-public morals (digested in Bulletin No. 18, p. 117;
Committee substitute digested in Bulletin No. 72, p. 572)
Committee substitute adopted in House 4/27/71 substitutes "illegal possession or sale of intoxicating liquors or illegal possession or sale of narcotic drugs" for "illegal sale of whiskey, or illegal sale of beer, or illegal sale of narcotic drugs," and makes clarifying changes.

H 228 Incorporating Woodfin (digested in Bulletin No. 25, p. 166)
Amendment adopted in Senate 4/27/71 makes technical changes.

H 245 Human tissue sale (digested in Bulletin No. 26, p. 174)
Committee substitute adopted in House 4/27/71 adds "institutions" as entities covered by bill, provides that bill shall not relieve persons or institutions rendering services within scope of bill from liability for failure to exercise due care, and makes act effective upon ratification. (Original bill required exercise of "highest degree of care".)

H 247 Name change, court records (digested in Bulletin No. 26, p. 174)
Committee substitute adopted in House 4/27/71 provides that when name has been changed by law, any attorney may file affidavit (stating facts on name change) with clerk of superior court. Requires clerk to file affidavit and to index and make marginal entry in indexes (showing the affidavit was filed) opposite former name in each place it appears in index. Requires clerk to forward copy of affidavit to any other county named in affidavit, where it shall also be similarly filed and indexed. States procedure is for information only, and in no manner affects rights or liabilities of any person. (Original bill did not specify manner of indexing.)

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 42 CONGRESSIONAL DISTRICTS.(2/19) H-PASSED 2ND READING.
 #S. 55 ADOPTIONS VENUE.(3/10, X/XX) RATIFIED CH. 233.
 S. 57 STOPPING ON HIGHWAYS. H-REPTD FAV AS AMENDED.
 S. 75 TESTAMENTARY GIFTS TO MINORS.(3/05, 4/23) S-CONCURRED IN H AMENDS.
 S. 93 CIVIL PROCEDURE REVISION.(4/01, 4/27) H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING.
 S. 100 STATE CAPITAL POLICE ARREST POWER.(2/17, 4/06, 4/07) H-REPTD FAV AS AMENDED.
 #S. 116 DIVORCE-TRIAL WITHOUT JURY.(3/05) H-REPTD UNFAV.
 S. 178 FLAG DESECRATION.(4/15) H-REPTD FAV.
 S. 204 WILDLIFE PROTECTOR RETIREMENT.(4/20) S-RE-REF COM ON APPROPN.
 #S. 209 FREE OLDSTER FISH-HUNT LICENSE. RATIFIED CH. 242.
 S. 213 TECHNICAL CHANGES-COURTS.(4/02, 4/26) H-POSTPONED TO APR 28.
 S. 230 GASOLINE ADVERTISING.(3/30) H-REPTD FAV AS AMENDED.
 #S. 236 SUSPENSION, 10 MPH EXCESS SPEED.(3/11) RATIFIED CH. 234.
 S. 244 NONRES HUNTING LICENSE PROCEEDS.(3/26) H-POSTPONED TO APR 28.
 S. 249 PODIATRY DEFINED. H-REPTD FAV; H-RE-REF COM ON HEALTH.
 #S. 285 PROVISIONAL DRIVER LICENSES. H-REPTD UNFAV.
 S. 295 WILDLIFE RESOURCES DISTRICTS. H-POSTPONED TO APR 28.
 #S. 304 COLLECTIVE BARGAINING-FIREMEN. S-REPTD UNFAV.
 #S. 309 ADVERSE POSSESSION LAW. S-REPTD UNFAV.
 S. 317 WORKMEN'S COMPENSATION-DISEASES.(4/27) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
 #S. 328 SETTLING LAND TITLES. RATIFIED CH. 235.
 S. 387 CREATING NC MANPOWER COUNCIL.(4/23) S-REC TO CONCUR IN H AMEND; S-PLACED ON CAL FOR APR 28.
 S. 424 JUDICIAL DEPARTMENT CHANGES.(4/23) H-REC FROM SENATE; H-REF TO COM ON COURTS.
 S. 451 SANITATION OF FARM LABOR CAMPS. S-RE-REF COM ON PUB HLTH.
 S. 462 FACULTY OPTIONAL RETIREMENT. S-REPTD FAV.
 S. 470 VETS' CHILDREN SCHOLARSHIPS. S-REPTD FAV.
 S. 485 CH. 208, SL 1971-CORRECTION. S-REPTD FAV.
 #H. 78 WORTHLESS CHECK LAW.(3/09, 3/25) RATIFIED CH. 243.
 H. 107 LAWFUL ARTIFICIAL INSEMINATION.(3/05) S-REPTD FAV.
 H. 111 \$300 AUTO ACCIDENT REPORTS.(3/24, 4/23) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.

- H. 155 NUISANCES-PUBLIC MORALS.(4/22, 4/27) H-REPTD FAV COM SUB #2;
H-COM SUB #2 ADOPTED.
- H. 172 MENTAL CARE-PARENTS' LIABILITY. H-RE-REF COM ON APPROPN.
- #H. 199 PAR BANKING.(4/06, 4/06) RATIFIED CH. 244.
- #H. 211 NO WARRANTY ON HUMAN TISSUE. H-REPTD UNFAV.
- H. 245 HUMAN TISSUE SALE.(4/27) H-REPTD FAV COM SUBSTITUTE; H-COM
SUBSTITUTE ADOPTED.
- H. 247 NAME CHANGE,COURT RECORDS.(4/27) H-REPTD FAV COM SUBSTITUTE;
H-COM SUBSTITUTE ADOPTED.
- #H. 303 SHOPLIFTING ARREST LIABILITY.(3/30, 3/31, 4/13, 4/14)
RATIFIED CH. 238.
- H. 314 BEAR KILLING PENALTY. H-POSTPONED TO APR 28.
- #H. 353 PROTECTIVE LENSES.(4/06) RATIFIED CH. 239.
- #H. 359 SPEEDING-LIMITED LICENSE. H-REPTD UNFAV.
- H. 410 VEHICLE REPAIR LIEN. S-REPTD FAV.
- #H. 461 MEDICAL CHEST IN MFG PLANT. RATIFIED CH. 240.
- #H. 499 DANGEROUS WEAPONS AT SCHOOLS.(3/31, 4/06, 4/22) RATIFIED CH.
241.
- #H. 532 CONTRACTOR LICENSE CHANGES. RATIFIED CH. 246.
- H. 626 ABORTIONS RESIDENCY,MD REQUIREMENT. S-REC FROM HOUSE; S-REF
TO COM ON PUB HLTH.
- H. 707 (J.RES.) MEMORIALIZING HOYLE. S-PASSED 2ND & 3RD READING.
- H. 715 (J.RES.) LRC MENTAL HOSPITALS STUDY.(4/23, 4/23) S-REC FROM
HOUSE; S-REF TO COM ON MENTAL H.
- H. 773 WORKMEN'S COMP. APPEALS EXPENSE. H-REPTD FAV AS AMENDED.
- #H. 791 (J.RES.) HONORING LIBBY CHILDRESS. RATIFIED RES. 53.
- H. 797 (J.RES.) HONORING SOUTHPORT. H-PASSED 2ND & 3RD READING; S-REC
FROM HOUSE; S-PASSED 2ND & 3RD READING.
- H. 798 (J.RES.) HONORING FURNITURE INDUSTRY. H-PASSED 2ND & 3RD
READING; S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.

LOCAL BILLS

- #S. 340 (CHEROKEE) AUTHORIZING DEPUTY SHERIFFS.(4/13) RATIFIED CH.
236.
- #S. 378 (SURRY) TAX LISTING BY MAIL. RATIFIED CH. 237.
- S. 392 (BUNCOMBE) DEED INDEX BOOKS. S-PASSED 2ND & 3RD READING.
- S. 401 (HALIFAX) ROANOKE RAPIDS SCHOOL TAX. H-PASSED 3RD READING.
- S. 425 (RICHMOND) SHERIFF SALARY. S-PASSED 2ND & 3RD READING.
- S. 448 (DAVIDSON) THOMASVILLE CITY LIMITS. S-PASSED 2ND READING.
- S. 479 (HALIFAX) ROANOKE RAPIDS CITY COUNCIL.(4/26) H-REPTD FAV;
H-PASSED 2ND & 3RD READING.
- H. 228 (BUNCOMBE) INCORPORATING WOODFIN.(4/13, 4/13, 4/27) S-COM
AMEND ADOPTED; S-PASSED 2ND READING.
- H. 585 (ALAMANCE) BAIL BONDSMEN.(4/21) S-RECALLED FROM COM;
S-RECONSIDERED 3RD READING; S-AMENDMENT WITHDRAWN; S-PASSED
3RD READING.
- H. 589 (VANCE) AMBULANCE BILLS.(4/23) S-REC FROM HOUSE; S-REF TO
COM ON LOC GOVT.

- H. 597 (MONTGOMERY) BISCOE STREET & SEWER CONNECTIONS. S-PASSED 2ND READING.
- H. 603 (HALIFAX) COMMUNITY HOSPITAL TAX.(4/16) S-PASSED 3RD READING.
- H. 607 (CHEROKEE) BD COMM'RS ELECTION DISTRICTS. S-PASSED 2ND & 3RD READING.
- H. 608 (HAYWOOD) COUNTY HOSPITAL TREASURER. S-PASSED 2ND & 3RD READING.
- H. 609 (ALAMANCE) BURLINGTON-ALAMANCE AIRPORT AUTHORI. S-PASSED 2ND READING.
- H. 615 (JOHNSTON) GARBAGE COLLECTION REGULATION. S-PASSED 2ND & 3RD READING.
- H. 618 (CRAVEN) TRENT WOODS TAXING POWER.(4/16) S-PASSED 2ND READING.
- H. 623 (DUPLIN) WARSAW POLICE JURISDICTION. S-PASSED 2ND & 3RD READING.
- H. 631 (JONES, LENOIR) DRAINAGE DISTRICT ABOLISHED. S-REPTD FAV.
- H. 634 (JOHNSTON) OFFICE OF TREASURER ABOLISHED. S-PASSED 2ND & 3RD READING.
- H. 635 (MOORE) MIXED DRINKS-ELECTION.(4/19, 4/19, 4/20) S-REPTD FAV; S-RE-REF COM ON FINANCE.
- H. 638 (BRUNSWICK) TAX LISTING REGULATIONS. S-PASSED 2ND READING.
- H. 640 (CLEVELAND) STREET IMPROVEMENT-SHELBY.(4/16) S-PASSED 2ND READING.
- H. 645 (GASTON) RURAL POLICE DEP'T. S-PASSED 2ND & 3RD READING.
- H. 646 (PENDER) TOPSAIL BEACH,SURF CITY POLICE. S-PASSED 2ND & 3RD READING.
- H. 659 (CRAVEN) NUMBERED SEATS IN ELECTIONS.(4/23) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 671 (WILKES) NORTH WILKESBORO ANNEXATION. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 675 (ORANGE) TAX LISTING. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 732 (PERQUIMANS) WINFALL CHARTER REVISION. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 741 (RUTHERFORD) COUNTY AIRPORT AUTHORITY. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

Next Sessions of Senate and House: 12 noon, Wednesday, April 28, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

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BULLETIN NO. 76

-609-

WEDNESDAY, APRIL 28, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 498 Ind'l revenue-antipollut. facils. (Iden. H 801) GS 159A
Introducer: Allen Sent to CONS&DEV

"To authorize the creation in counties of pollution abatement and industrial facilities financing authorities." Identical with H 801, digested in Bulletin No. 75, p. 599.

S 499 (Joint Resolution) Motor vehicle study comm'n STUDY, GS 20
Introducers: Jones and Crawford Sent to HY SAFTY

"Creating a commission for the study of the laws pertaining to motor vehicles of the State of North Carolina to make recommendations to the General Assembly." Creates comm'n consisting of 9 members (3 appointed by Governor, 3 by President of Senate, 3 by Speaker of House) to study motor vehicle laws and recommend changes to GS Ch. 20. Provides for organization of comm'n and for expenses (same as for members of NC boards and comm'ns generally), not to exceed \$30,000. Requires comm'n to submit report to Governor not later than Dec. 1, 1972 for transmittal to 1973 Gen'l Assembly.

S 501 Indus. Comm'n employees' pay (Iden. H 811) GS 97
Introducer: McLendon Sent to ST GOVT

"To amend G.S. 97-78(b) and G.S. 97-79(b) relating to the secretary and deputy commissioners of the Industrial Commission." Amends indicated sections to make secretary and deputies of the Industrial Comm'n subject to the State Personnel System (now, secretary's salary fixed by Governor subject to approval of Advisory Budget Comm'n, and deputies' compensation fixed by Comm'n).

S 502 Amending Anatomical Gift Act GS 90
Introducer: Strickland Sent to PUB HLTH

"To amend the Uniform Anatomical Gift Act to allow eye enucleation by certified embalmers." Adds new sentence to GS 90-220.4(d) authorizing certified embalmer to remove eyes for anatomical gifts after certification of death by physician and after compliance with Act concerning intent to make gift. Makes corresponding change in GS 90-220.1 to define certified embalmer as one who holds valid license, has completed course in eye removal and has been certified by accredited medical school in NC. Effective Oct. 1, 1971.



S 503 Adopted child birth certificate
Introducer: Coggins

GS 48
Sent to JUDIC 2

"To provide for the issuance of new birth certificates for adopted children born outside the State subject only to the same requirements provided by law for the issuance of new birth certificates for adopted children born within the State." Revives GS 48-29(d) (issuing original birth certificates for adopted children who are having names changed and who were born out of state) by removing restriction in Ch. 1042, SL 1967 that made GS 48-29(d) applicable only to the particular person who has North Carolina Index Number 16429 in the files of the State Dep't of Soc. Serv. Effect of bill is to now make provisions of GS 48-29(d) applicable to persons other than 16429.

S 504 Auto ins. rate adjustment bar (Iden. H 810)
Introducers: Bagnal and others

GS 58
Sent to INSUR

"To prevent adjustment of automobile liability insurance rates while automobile liability insurance rate-making procedures are under study by the General Assembly of North Carolina." Provides that no property damage or bodily injury liability insurance rates on policies issued or renewed after effective date of act (effective on ratification) on autos registered or principally garaged in NC shall exceed rate charged or authorized to be charged as of Act's effective date. Provisions of act to remain in operation for 90 days only, commencing on effective date.

HOUSE

H 809 Two-term Governors-referendum
Introducer: Harkins

CONSTITUTION
Sent to CONSTUTN

"To amend the Constitution of North Carolina to empower the qualified voters to elect the Governor for two consecutive terms." Amends part of NC Constitution dealing with qualifications for Gov. and Lt. Gov. (Art. III, Sec. 2(2) as effective July 1, 1971) by deleting provision that no person elected to office of Gov. shall be eligible for election to the next succeeding term of same office, and by inserting in lieu thereof provision that no person elected to office of Gov. shall be eligible for election to more than two consecutive terms of that office (permits "two-term" Gov., prohibits "two-term" Lt. Gov.). Provides for proposed amendment to be submitted to referendum at next general election and for it to be effective July 1, 1973 if majority of voters favor its adoption. Effective July 1, 1971.

H 810 Auto ins. rate adjustment bar (Iden. S 504)
Introducer: Taylor

GS 58
Sent to INSUR

"To prevent adjustment of automobile liability insurance rates while automobile liability insurance rate-making procedures are under study by the General Assembly of North Carolina." Identical with S 504, digested in Senate section of today's Bulletin.

H 811 Indus. Comm'n. employees' pay (Iden. S 501)
Introducer: Phillips

GS 97
Sent to APPROPN

"To amend G.S. 97-78(b) and G.S. 97-79(b) relating to the secretary and deputy commissioners of the Industrial Commission." Identical with S 501, digested in Senate section of today's Bulletin.

H 812 Motorboat license fees
Introducer: McDaniel

GS 75A
Sent to WILDLIFE

"Amending Chapter 75A, relating to motorboats, so as to provide that all boats powered by outboard motors shall pay a \$3.00 registration fee and for other purposes." Rewrites GS 75A-4, 75A-5 and 75A-7 to require identification numbers and certificates for and regulation of "boats propelled by an outboard motor" (now, "motorboats"). Effective July 1, 1971.

LOCAL BILLS INTRODUCED

SENATE

S 500 More magistrates
Introducer: Aillsbrook

HALIFAX, GS 7A
Sent to COURTS

"To authorize additional magistrates in Halifax County." Amends GS 7A-133 to increase number of magistrates in Halifax County from 9 to 11.

HOUSE

H 806 Sheriff's fees
Introducers: Volger, Beatty, Campbell, Cobb,
Foley, Hicks, and Lawing

MECKLENBURG
Sent to LOC GOVT

"To amend G.S. 14-404 to increase the fee of sheriff of Mecklenburg County."
Raises fee of Mecklenburg sheriff for issuing weapon permit from 50¢ to \$3.00.

H 807 Bd. Equaliz. and Review
Introducers: Volger, Beatty, Campbell, Cobb,
Foley, Hicks, and Lawing

MECKLENBURG
Sent to LOC GOVT

"Amending Chapter 916 of the 1961 Session Laws of the General Assembly of North Carolina, pertaining to the appointment and duties of a Board of Equalization and Review for Mecklenburg County." Amends Ch. 916, SL 1961 by expanding functions of Bd. Permits Bd. to hear requests by taxpayers, if made in writing to or by personal appearance before the Bd. prior to adjournment, or within 15 days after notice is mailed of a change in valuation if such notice was mailed less than 15 days prior to adjournment. Requires Bd. to notify taxpayer of action within 30 days of adjournment. Provides that following formal adjournment each year Bd. to continue to function for sole purpose of exercising authority granted to County Comm'rs by GS 105-330 (changes in tax records after adjournment of Bd.)

H 808 Incorporating municipalities
Introducer: Leatherman

LINCOLN
Sent to LOC GOVT

"To extend the time for the incorporation of a municipal corporation in Lincoln County." Extends time as title indicates from Jan. 1, 1971 to Jan. 1, 1973.

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Committee substitute adopted in House 4/14/71 rewrites GS 113-205(a) to specify that provisions concerning registration of private fishery rights are applicable only to navigable waters of coastal counties, namely: Beaufort, Bertie, Bladen, Brunswick, Camden, Carteret, Chowan, Columbus, Craven, Currituck, Date, Gates, Halifax, Hertford, Hyde, Martin, New Hanover, Northampton, Onslow, Pamlico, Pasquotank, Pender, Perquimans, Tyrrell and Washington. Specifies that section not applicable to land under private pond. Provides that no rights in lands or beds under navigable waters shall be deemed lost for failure to comply with previous GS 113-205(a) if lands or beds do not come under scope of new subsection (a) as set out in this act. (Original bill had same purpose but used method of specifying definition of navigable waters so that it applied only to estuarine waters. Original did not include proviso about not losing rights for land not within scope of new subsection (a)).

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Next Sessions of Senate and House: 12 noon, Thursday, April 29, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
P. O. BOX 7294, RALEIGH, N. C.
27611 TEL. (919) 755-3355
(919) 829-7677

BULLETIN NO. 76

-609-

WEDNESDAY, APRIL 28, 1971

PUBLIC BILLS INTRODUCED

SENATE

- S 498 Ind'l revenue-antipollut. facils. (Iden. H 801) GS 159A
Introducer: Allen Sent to CONS&DEV

"To authorize the creation in counties of pollution abatement and industrial facilities financing authorities." Identical with H 801, digested in Bulletin No. 75, p. 599.

- S 499 (Joint Resolution) Motor vehicle study comm'n STUDY, GS 20
Introducers: Jones and Crawford Sent to HY SAFTY

"Creating a commission for the study of the laws pertaining to motor vehicles of the State of North Carolina to make recommendations to the General Assembly." Creates comm'n consisting of 9 members (3 appointed by Governor, 3 by President of Senate, 3 by Speaker of House) to study motor vehicle laws and recommend changes to GS Ch. 20. Provides for organization of comm'n and for expenses (same as for members of NC boards and comm'ns generally), not to exceed \$30,000. Requires comm'n to submit report to Governor not later than Dec. 1, 1972 for transmittal to 1973 Gen'l Assembly.

- S 501 Indus. Comm'n employees' pay (Iden. H 811) GS 97
Introducer: McLendon Sent to ST GOVT

"To amend G.S. 97-78(b) and G.S. 97-79(b) relating to the secretary and deputy commissioners of the Industrial Commission." Amends indicated sections to make secretary and deputies of the Industrial Comm'n subject to the State Personnel System (now, secretary's salary fixed by Governor subject to approval of Advisory Budget Comm'n, and deputies' compensation fixed by Comm'n).

- S 502 Amending Anatomical Gift Act GS 90
Introducer: Strickland Sent to PUB HLTH

"To amend the Uniform Anatomical Gift Act to allow eye enucleation by certified embalmers." Adds new sentence to GS 90-220.4(d) authorizing certified embalmer to remove eyes for anatomical gifts after certification of death by physician and after compliance with Act concerning intent to make gift. Makes corresponding change in GS 90-220.1 to define certified embalmer as one who holds valid license, has completed course in eye removal and has been certified by accredited medical school in NC. Effective Oct. 1, 1971.



S 503 Adopted child birth certificate
Introducer: Coggins

GS 48
Sent to JUDIC 2

"To provide for the issuance of new birth certificates for adopted children born outside the State subject only to the same requirements provided by law for the issuance of new birth certificates for adopted children born within the State." Revives GS 48-29(d) (issuing original birth certificates for adopted children who are having names changed and who were born out of state) by removing restriction in Ch. 1042, SL 1967 that made GS 48-29(d) applicable only to the particular person who has North Carolina Index Number 16429 in the files of the State Dep't of Soc. Serv. Effect of bill is to now make provisions of GS 48-29(d) applicable to persons other than 16429.

S 504 Auto ins. rate adjustment bar (Iden. H 810)
Introducers: Bagnal and others

GS 58
Sent to INSUR

"To prevent adjustment of automobile liability insurance rates while automobile liability insurance rate-making procedures are under study by the General Assembly of North Carolina." Provides that no property damage or bodily injury liability insurance rates on policies issued or renewed after effective date of act (effective on ratification) on autos registered or principally garaged in NC shall exceed rate charged or authorized to be charged as of Act's effective date. Provisions of act to remain in operation for 90 days only, commencing on effective date.

HOUSE

H 809 Two-term Governors-referendum
Introducer: Harkins

CONSTITUTION
Sent to CONSTUTN

"To amend the Constitution of North Carolina to empower the qualified voters to elect the Governor for two consecutive terms." Amends part of NC Constitution dealing with qualifications for Gov. and Lt. Gov. (Art. III, Sec. 2(2) as effective July 1, 1971) by deleting provision that no person elected to office of Gov. shall be eligible for election to the next succeeding term of same office, and by inserting in lieu thereof provision that no person elected to office of Gov. shall be eligible for election to more than two consecutive terms of that office (permits "two-term" Gov., prohibits "two-term" Lt. Gov.). Provides for proposed amendment to be submitted to referendum at next general election and for it to be effective July 1, 1973 if majority of voters favor its adoption. Effective July 1, 1971.

H 810 Auto ins. rate adjustment bar (Iden. S 504)
Introducer: Taylor

GS 58
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"To prevent adjustment of automobile liability insurance rates while automobile liability insurance rate-making procedures are under study by the General Assembly of North Carolina." Identical with S 504, digested in Senate section of today's Bulletin.

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Introducer: Phillips

GS 97
Sent to APPROPN

"To amend G.S. 97-78(b) and G.S. 97-79(b) relating to the secretary and deputy commissioners of the Industrial Commission." Identical with S 501, digested in Senate section of today's Bulletin.

H 812 Motorboat license fees
Introducer: McDaniel

GS 75A
Sent to WILDLIFE

"Amending Chapter 75A, relating to motorboats, so as to provide that all boats powered by outboard motors shall pay a \$3.00 registration fee and for other purposes." Rewrites GS 75A-4, 75A-5 and 75A-7 to require identification numbers and certificates for and regulation of "boats propelled by an outboard motor" (now, "motorboats"). Effective July 1, 1971.

LOCAL BILLS INTRODUCED

SENATE

S 500 More magistrates
Introducer: Allsbrook

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BULLETIN NO. 77

-615-

THURSDAY, APRIL 29, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 505 (Joint Resolution) Inviting Governor to Gen. Ass'm. MISC RES
Introducer: Patterson
Passed three readings and
sent to House

"Inviting His Excellency, the Governor, to address a joint session of the Senate and House of Representative at 12:30 p.m., May 4, 1971." As title indicates.

S 506 Teacher ass'n. dues checkoff GS 115
Introducer: Staton
Sent to EDUCATN

"To require payroll deductions for association dues of public school teachers."
Adds new GS 115-153.4 requiring city, county bds. of ed. or community college or technical institute bds., upon request, to deduct from employees' salary dues for professional associations and to pay dues to association. Specifies content of employees' written request. Defines "professional employees" as all persons required by NC Bd. of Ed. to hold certificates as prerequisite to employment. Effective July 1, 1971.

S 509 Ass't. solicitors (4 Div.) GS 7A
Introducers: Gudger and others
Sent to COURTS

"To increase the number of full-time assistant solicitors in the Fourth Judicial Division." Amends GS 7A-41 to increase number of full-time assistant solicitors in 25th dist. from 3 to 4, in 26th from 6 to 8, in 27th from 5 to 6, in 28th from 2 to 4, in 29th from 2 to 3, and in 30th from 1 to 2. Provides bill effective "notwithstanding other amendments" to GS 7A-41.

S 510 Higher ed.-aid, funds (Iden. H 814) APPROPRIATION
Introducers: Kirby and others
Sent to HIGHR ED

"Appropriating funds for the student assistance program." Bill is companion legislation to H 804 (Iden. S 497), digested in Bulletin No. 74, p. 602, which authorizes appropriations to implement recommendations of 1969 Legislative Study Comm'n on Student Financial Aid. Comm'n recommended four alternative plans; 4 sections of S 510 provide alternative appropriations for the 4 plans. All appropriations (1) from General Fund and (2) contingent on adoption of Plans.

	Sec. 1	Sec. 2	Sec. 3	Sec. 4
	Plan A	Plan B	Plan C	Plan D
To Trust Fund of Ed Assis				
Auth for use under GS Ch. 116,				
Art. 23	\$ 1,000,000	\$ 2,100,000	\$ 2,300,000	\$ 2,400,000



Sec. 1
Plan A

Sec. 2
Plan B

Sec. 3
Plan C

Sec. 4
Plan D

To Ed Assis Auth for preparation for program under proposed GS 116-209.16

\$ 200,000

\$ 75,000

\$ 125,000

\$ 125,000

To Ed Assis Auth for student
assistance grants under pro-
posed GS 116-209.16

19,300,000

8,100,000

11,500,000

14,700,000

To Ed Assis Auth for adminis-
tering grants

600,000

250,000

350,000

400,000

To Bd of Higher Ed to provide
secretariat for Ed Assis Auth
in administering assistance
program

200,000

75,000

125,000

175,000

Budget adjustments for public
institutions of higher ed. due
to tuition increases (reductions
in appr. from Gen Fund)

3,500,000

3,500,000

6,900,000

13,100,000

Net cost to Gen Fund

17,800,000

7,100,000

4,000,000

1,200,000

, Bill and appropriation effective July 1, 1971, but Ed. Assis Auth grants effective July 1, 1972.

S 511 (Joint Resolution) NC transportation study
Introducers: Allen and others

STUDY, GS 143
Sent to ROADS

"To initiate a total State transportation needs study." Requires study, related to total development and needs of NC, be commenced under coordination of Dir, Dept of Admin. Study to encompass railway systems, airways and airport development, highways and streets, urban mass transit systems, bus lanes and systems, and waterways and port development. Requires feasibility study of rapid inter-urban transportation system. Authorizes cooperation by Dept of Adm (Planning Div), Dept of C&D, SHC, Utilities Comm'n, Ports Auth, and State Universities. Requires Director to consult with NC agencies and representatives of local govts and private business. Requires consideration of environmental, social and economic impacts. Requires report and recommendations to Governor, for transmittal to Gen Ass'm, by Nov. 15, 1972. For related bills, see S 130 and H 196, identical with each other, digested in Bulletin No. 23, p. 150.

S 512 Juvenile correction-work, pay
Introducers: Gudger and Deane

GS 134
Sent to CORRECTN

"To provide for an incentive pay for work by juveniles at schools operated by the Board of Juvenile Correction." Authorizes persons under committment to Bd of JC to be compensated at rates set by Bd (not to exceed 10¢ per hour) for work performed or attendance at training programs at place of committment. Authorizes Bd to accept grants and allocate funds to carry out intent of bill. For related bill appropriating funds for payments, see S 513, below.

S 513 Juvenile Correction Bd.-funds
Introducers: Gudger and Deane

APPROPRIATION, GS 134
Sent to CORRECTN

"To appropriate funds for use by the North Carolina Board of Juvenile Correction." Makes emergency appropriation to Bd out of General Fund of \$30,000 for each of fiscal 1971-72 and 1972-73 for payments for work performed and training taken by persons committed to Bd. For related bill authorizing payments, see S 512, above.

S 514 Redev. Comm'ns-private sales
Introducer: Currie

GS 160
Sent to INTERGOV

"Authorizing redevelopment commissions to dispose of property at private sale."
Amends GS 160-464(d) and (e) to allow redevelopment comm'ns to make private sale of property to any other redeveloper within redevelopment area after public hearing (notice to be published once weekly for 2 weeks in newspaper or posted) at which the municipal governing board must verify and approve one or more following findings of fact: (1) proposed use or redevelopment is necessary to relocate persons displaced by redevelopment or other governmental actions; (2) proposed use is reasonably necessary to assure development having beneficial effect upon neighboring property, project area and community; or (3) proposed use will assure that property will not remain unused for unduly long period of time and that property will be returned to tax rolls at earlier date than would otherwise be the case. Redeveloper to whom sale is made must be only known one available and must be qualified and willing to make the contemplated use. Consideration for property shall be that agreed upon by the redeveloper and comm'n and approved by governing body but shall not be less than actual value of property.

S 515 (Joint Resolution) Memorializing S. E. Burgess
Introducer: Wood

MISC RES
Passed three readings
and sent to House

"Honoring the life and memory of S. Everett Burgess, former member of the North Carolina General Assembly." As title indicates.

S 516 Univ. student publ. fees
Introducers: Allsbrook and others

GS 116
Sent to HIGHR ED

"To require that the public universities and colleges provide their students annually an opportunity to decline to pay for and receive student newspapers and similar student publications." Requires all public educational institutions that collect fees used directly or indirectly to finance student publications to afford every student opportunity to refuse to pay for and receive some or all such publications. Provides if student elects not to pay for such publications, institution without authority to require payment. Provides where fee is not identifiable, but portion of fees are allocated to publication, institution must make proportionate reduction in fee charged. Effective July 1, 1971.

S 517 Ass't. solicitors (1 Div.)
Introducers: Burney and others

GS 7A
Sent to COURTS

"To increase the number of full-time assistant solicitors in the First Judicial Division." Amends GS 7A-41 to increase number of full-time assistant solicitors in 1st dist. from 1 to 2, in 2nd from 1 to 2, in 3rd from 2 to 3, in 4th from 2 to 3, in 5th from 2 to 3, in 7th from 2 to 3, and in 8th from 2 to 3. Provides bill effective "notwithstanding other amendments" to GS 7A-41.

S 518 Ass't solicitors (3 Div.)
Introducers: Patterson and others

GS 7A
Sent to COURTS

"To increase the number of full-time assistant solicitors in the Third Judicial Division." Amends GS 7A-41 to increase number of full-time assistant solicitors in 17th dist. from 2 to 3, in 18th from 5 to 6, in 19th from 3 to 4, in 20th from 2 to 3, in 21st from 4 to 5, and in 22nd from 2 to 3. Provides bill effective "notwithstanding other amendments" to GS 7A-41.

S 519 Juvenile's citizenship
Introducer: Gudger

GS 7A
Sent to JUCIC 2

"To provide that an adjudication of delinquency of a child will not forfeit the child's citizenship." Amends GS 7A-286 as title indicates (covers adjudication or disposition).

S 520 Ass't. solicitors (2 Div.)
Introducers: Bailey and others

GS 7A
Sent to COURTS

"To increase the number of full-time assistant solicitors in the Second Judicial Division." Amends GS 7A-41 to increase number of full-time assistant solicitors in 9th. dist. from 1 to 2, in 10th from 4 to 5, in 11th from 2 to 3, in 12th from 4 to 5, and in 14th from 2 to 3. Provides bill effective "notwithstanding other amendments" to GS 7A-41.

S 521 Local option ed. units
Introducer: Gudger

GS 115
Sent to EDUCATN

"To repeal Article 34 of Chapter 115 of the General Statutes." As title indicates, repeals statutes providing for local option school units and closing of some schools within unit.

HOUSE

H 813 Teachers' use of force
Introducers: Arnold and Love

GS 115
Sent to JUDIC 2

"To provide for the reasonable use of force by school personnel in exercising lawful authority." Amends GS 115-146 to add voluntary teachers and teachers aids and assistants to persons who may use reasonable force in exercising lawful authority.

H 814 Higher ed.-aid, funds (Iden. S 510)
Introducers: Kirby and others

APPROPRIATION, GS 116
Sent to HIGHR ED

"Appropriating funds for the Student Asssistance Program." Identical with S 510, digested in Senate section of today's Bulletin.

H 816 Dept. of Agri.-funds
Introducer: Soles

APPROPRIATION
Sent to APPROPRN

"Appropriating funds to the North Carolina Department of Agriculture to eradicate and control the sweet potato weevil in North Carolina." Appropriates from General Fund to Dep't of Agriculture (for purpose of eliminating sweet potato weevil) \$17,650 for fiscal year 1971-72 and \$17,676 for fiscal year 1972-73. Effective July 1, 1971.

H 817 Study Comm'n, UNC utilities
Introducer: Andrews

STUDY
Sent to HIGHR ED

"To create a Commission to study, and in its discretion to recommend the retention or the sale, lease, rental, transfer, or other disposition of certain University enterprises or projects in the jurisdiction of and operated by the University of North Carolina at Chapel Hill, and to authorize said disposition in the event of such a recommendation." Directs Governor to appoint, as soon as feasible prior to July 1, 1971, a Special Comm'n of 12 members and chairman to make study and recommendations as title

indicates. Members to include 2 members of UNC's bd. of trustees, Dir. of Administration and 2 or more persons who have expert knowledge of each type of utility involved. Comm'n to complete study within specified time and make report and recommendations to bd. of trustees concerning sale, lease or other disposition of UNC telephone, electric, water and sewer systems, facilities, properties, assets, plants, works and instrumentalities, with detailed plans and specifications. Approval by bd. of trustees of action recommended by the Comm'n shall constitute authority for bd's executive committee to proceed with sale, lease or other action approved. When an agreement of sale or other disposition has been developed, it shall be submitted to executive committee for approval, and if approved to Governor and Council of State for approval. Form of conveyance shall be as provided in GS Ch. 146, Art. 16. Operation of any enterprise sold or leased to be subject to regulation by Utilities Comm'n unless transferree exempt from regulation, in which case any agreement must set forth formula for determining rates to be charged University for services. Acquisition by public utility to be subject to approval of Utilities Comm'n. All costs and expenditures (salaries, per diem fees, etc.) to be paid by UNC.

H 818 Regulating UNC utilities
Introducer: Andrews

GS 62, 116
Sent to HIGHR ED

"To make Chapter 62 of the General Statutes applicable to certain utilities operated by the University of North Carolina at Chapel Hill." Amends GS 62-3(23) and GS 116-41.2 to make UNC phone, electricity and water utilities subject to regulation by Utilities Comm'n, beginning Jan. 1, 1973.

H 819 Bonds for UNC utilities
Introducer: Andrews

GS 116
Sent to HIGHR ED

"Amending Part 4 of Article 1 of Chapter 116 of the General Statutes relating to the issuance of revenue bonds for service and auxiliary facilities at the University of North Carolina at Chapel Hill." Authorizes bonds, not to exceed \$13,000,000, for biennium ending June 30, 1973. Provides UNC's bd. of trustees may sell such bonds "as it may determine to be for the best interests of the University" (now, payments cannot exceed 7.5% per annum). Permits reserve for debt service, as part of cost of projects financed by bonds, permits financing of extensions of projects into Durham, Orange and Chatham counties, and allows bd. of trustees to require advance deposits and to discontinue service relating to specified enterprises.

H 820 Extending UNC utilities
Introducer: Andrews

GS 116
Sent to HIGHR ED

"To authorize the extension and improvement of certain university enterprises." Authorizes UNC (Chapel Hill) to extend and improve telephone, electric and water supply or treatment systems, financed by revenue bonds not to exceed \$13,000,000. (Bonds authorized in H 819, digested in House section of today's Bulletin.)

LOCAL BILLS INTRODUCED

SENATE

S 507 Condemnation procedures
Introducers: McLendon, Bowles, and Murrow

GUILFORD
Sent to LOC GOVT

"To amend G.S. 153-284 to authorize Guilford County to acquire land or rights in land by condemnation in the manner described by Article 9 of Chapter 136 of the General Statutes of North Carolina." Amends GS 153-284 as it applies to Guilford to provide that if negotiations for purchase of land for water system for sanitary sewerate system are unsuccessful, or if county cannot acquire sufficient title by purchase, then co. comm'rs can

acquire land by condemnation in manner provided in GS Ch. 136, Art. 9 for State Highway Comm'n (now, condemnation must be in manner provided in GS Ch. 40; main difference in two procedures is that under Ch. 136, Art. 9 title vests in taker upon filing of declaration of taking and depositing of amount equal to fair market value of land in opinion of taker-- under Ch. 40 procedure title is not transferred until after proceeding determination right to take and value of land).

S 508 Whiteville cold beer
Introducer: Frink

COLUMBUS
Sent to ABC

"To allow cold beer to be sold off premises in Whiteville." As title indicates.

HOUSE

H 815 Cemetery trust fund
Introducer: Quinn

CABARRUS
Sent to LOC GOVT

"Authorizing the City of Concord to establish a trust fund for the upkeep of Rutherford Cemetery." As title indicates. Ratifies past actions of City officials and imposes specific duties concerning manner of cemetery maintenance.

H 821 Creating airport authority
Introducer: R. Brown

STANLY
Sent to LOC GOVT

"To enable the County of Stanly to establish an airport authority for the maintenance of airport facilities in the County." Creates corporate body, to be directed by 5-member board appointed by co. comm'rs. Authority's powers include purchase, acquisition and maintenance of airport and landing field facilities, borrowing money and issuing tax-exempt bonds, and making rules and regulations for operation of airport. Authority empowered to acquire property from county. County comm'rs authorized to appropriate funds to authority from non-property tax sources.

H 822 Charlotte Charter-lien interest
Introducers: Vogler, Beatty, Campbell, Cobb,
Foley, Hicks, and Lawing

MECKLENBURG
Sent to LOC GOVT

"To amend Chapter 713 of the Session Laws of 1965, being the Charter of the City of Charlotte in Mecklenburg County." Allows collection of 6% interest on unpaid liens against property for demolition of buildings and removal of trash or weed overgrowth.

H 823 Purchase prefab schools
Introducers: Vogler, Beatty, Campbell, Cobb,
Foley, Hicks and Lawing

MECKLENBURG
Sent to LOC GOVT

"To authorize the Charlotte-Mecklenburg Board of Education to enter into certain contracts without complying with the provisions of Chapter 133 and of Article 8 of Chapter 143 of the General Statutes." Permits ed. bd., during calendar years 1971 and 1972, to enter into purchase and/or construction contracts for prefab schools without complying with stated provisions of General Statutes (public works and public building contracts).

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 53 Auto bumpers (digested in Bulletin No. 10, p. 57)

Committee Substitute adopted in Senate 4/29/71 defines "private passenger automobile" to mean a four-wheeled motor vehicle designed principally for carrying passengers not for hire, for use on public roads and highways, and not designed for use principally as a dwelling or for camping (original bill did not include definition). Requires private passenger automobiles manufactured on and after Aug. 1, 1973 (originally Jan. 1, 1974) sold or licensed in NC to be sold subject to warranty that it may be driven into barrier at 5 mph forward and 2 1/2 mph reverse without sustaining damage to auto itself (original bill had no reverse-speed provision). Provides exception from warranty provision for manufacturers who file written certification under oath that the make and model therein described meets these standards (original bill had no certificate provisions).

S 57 Stopping on highways (digested in Bulletin No. 10, p. 57)

Amendments adopted in House 4/29/71 (1) specify that when vehicle is left on right of way of highway for 48 hours investigating law enforcement officer is deemed a legal possessor of the vehicle in transporting and storing it, and (2) remove alternative authority for transportation that removal to shoulder of road is impracticable or insufficient (leaving in that general authority to transport the vehicle when it has been left for 48 hours).

S 100 State capital police arrest power (digested in Bulletin No. 16, p. 101; prior amendments digested in Bulletins 26, 60 and 61, respectively, pages 176, 445 and 459, respectively)

Two amendments adopted in House 4/29/71 (1) delete requirements that capitol policeman have training equivalent to Raleigh City policemen, (2) add provision that authority may be exercised on NC property in Wake County to same extent as deputy sheriff.

HOUSE BILLS

H 245 Human tissue sale (digested in Bulletin No. 26, p. 174; Committee Substitute digested in Bulletin No. 75, p. 604)

Amendment adopted in House 4/29/71 requires that persons or institutions making transfusions have the burden of proving their conduct was within the requisite standard of care.

H 247 Name change, court records (digested in Bulletin No. 26, p. 174; Committee Substitute digested in Bulletin No. 75, p. 604)

Amendment adopted in House 4/29/71 deletes requirement that clerk make marginal entry in index showing filing of affidavit.

H 773 Workmen's comp. appeals expense (digested in Bulletin NO. 72, p. 567)
Technical amendment adopted in House 4/29/71.

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- #S. 42 CONGRESSIONAL DISTRICTS.(2/19) RATIFIED CH. 257.
 S. 53 AUTO BUMPERS.(4/29) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
 S. 57 STOPPING ON HIGHWAYS.(4/29, 4/29) H-COM AMENDS ADOPTED; H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING.
 S. 93 CIVIL PROCEDURE REVISION.(4/01, 4/27) S-CONCURRED IN H AMEND.
 S. 95 COSTS-OF-COURT CHANGES.(4/02) H-PASSED 2ND & 3RD READING.
 S. 100 STATE CAPITAL POLICE ARREST POWER.(2/17, 4/06, 4/07, 4/29, 4/29) H-COM AMEND ADOPTED; H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
 S. 131 RAPID GROWTH-SMALL WATER SYSTEMS.(3/24, 3/30, 4/02) H-REPTD FAV AS AMENDED.
 S. 168 REGIONAL WATER SUPPLY PLANNING. H-REPTD FAV.
 S. 173 BANKS 5-DAY WEEK.(3/11) H-PASSED 2ND READING.
 S. 206 BOAT LIFESAVING DEVICE.(4/15) H-PASSED 2ND READING.
 S. 213 TECHNICAL CHANGES-COURTS.(4/02, 4/26) S-REC TO CONCUR IN H AMEND; S-FAILED CONCUR IN H AMEND; S-CONF COM APPOINTED.
 S. 283 GROSS RECEIPTS TAX DEDUCTION. S-PASSED 2ND& 3RD READING.
 S. 301 CITIZENSHIP RESTORATION. S-REPTD FAV.
 S. 317 WORKMEN'S COMPENSATION-DISEASES.(4/27) S-PASSED 2ND READING.
 S. 325 REPAYING SAVINGS & LOAN ASS'N. S-PASSED 2ND & 3RD READING.
 S. 338 WOUND REPORTS BY PHYSICIANS-2.(4/23) S-RE-REF COM ON JUDIC 2.
 S. 356 DEER HUNTING-BERTIE & N'HAMPTON. S-REPTD FAV AS AMENDED.
 S. 436 NO REPORT-DEER HIT BY AUTO. S-REPTD FAV.
 S. 446 UNIFORM CRIME REPORTING SYSTEM. S-REPTD FAV.
 #S. 459 VOTER OPPOSITION TO ANNEXATION. S-REPTD UNFAV.
 S. 462 FACULTY OPTIONAL RETIREMENT. H-REC FROM SENATE; H-REF TO COM ON ST PERS.
 S. 470 VETS' CHILDREN SCHOLARSHIPS. H-REC FROM SENATE; H-REF TO COM ON HIGHR ED.
 S. 475 STATE PURCHASES AND CONTRACTS. S-PASSED 2ND READING.
 S. 481 MANUFACTURE OF BEDDING. S-REPTD FAV; S-RE-REF COM ON FINANCE.
 S. 485 CH. 208,SL 1971-CORRECTION. H-REC FROM SENATE; H-REF TO COM ON JUDIC 1.
 S. 486 REFORMATORIES-LAW REWRITE. S-REPTD FAV.
 S. 487 PATROLEM'S EQUIPMENT-DISPOSITION. S-REPTD FAV.
 S. 505 (J.RES.) INVITING GOVERNOR TO GEN. ASS'M.. S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PASSED 2ND & 3RD READING.
 S. 515 HONORING S.E. BURGESS. S-PASSED 2ND & 3RD READING.

- #H. 81 TAX LIEN CERTIFICATION. H-REPTD UNFAV.
- #H. 107 LAWFUL ARTIFICIAL INSEMINATION.(3/05) RATIFIED CH. 260.
- H. 245 HUMAN TISSUE SALE.(4/27, 4/29) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 247 NAME CHANGE,COURT RECORDS.(4/27, 4/29) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 288 GAME CARCASS TAGS. H-RE-REF COM ON WILDLIFE.
- H. 314 BEAR KILLING PENALTY.(4/28) S-REC FROM HOUSE; S-REF TO COM ON WILDLIFE.
- H. 341 BANK FEES TO REALTORS.(4/01) S-PASSED 2ND & 3RD READING.
- H. 347 ABOLISHMENT OF CORONER.(3/26, 4/07) S-REPTD FAV AS AMENDED.
- #H. 410 VEHICLE REPAIR LIEN. RATIFIED CH. 261.
- H. 481 FISH RUSTLING. H-RE-REF COM ON JUDIC 2.
- H. 534 ALIMONY DEFENSES. H-REPTD FAV AS AMENDED.
- H. 553 NARCOTISM REFERENCE IN CURRICULUM. H-PASSED 2ND & 3RD READING.
- H. 626 ABORTIONS RESIDENCY,MD REQUIREMENT. S-REPTD FAV AS AMENDED.
- H. 655 STATE FISH-RED DRUM. S-PASSED 2ND & 3RD READING.
- H. 673 SCHOOL BUS OPERATORS CERTIFICATION. S-REPTD FAV.
- H. 708 SOIL-WATER CONSERVATION COMM.. H-REPTD FAV.
- H. 727 NO LOITERING AT POLLS. H-REPTD FAV AS AMENDED.
- H. 746 DEER HUNTING,GATES COUNTY. H-REPTD FAV.
- H. 760 EXEMPT JURORS OVER 65. H-RE-REF COM ON COURTS.
- H. 773 WORKMEN'S COMP. APPEALS EXPENSE.(4/29) H-COM AMEND ADOPTED; H-PASSED 2ND READING.
- H. 774 REGULATING UNC CAMPUS ROADS. H-PASSED 2ND & 3RD READING.
- H. 793 MEMBERS-HOUSING & REDEV. GROUP. H-REPTD FAV.

LOCAL BILLS

- S. 319 (ROWAN) SALISBURY SCHOOL BOARD TERM. H-PASSED 2ND & 3RD READING.
- #S. 401 (HALIFAX) ROANOKE RAPIDS SCHOOL TAX. RATIFIED CH. 258.
- #S. 405 (ALAMANCE) WOUND REPORTS BY HOSPITALS.(4/28) S-REC TO CONCUR IN H AMEND; S-FAILED CONCUR IN H AMEND.
- S. 410 (DURHAM, WAKE) RDU AIRPORT BONDS. H-REPTD FAV.
- S. 414 (HAYWOOD) COUNTY MANAGER REFERENDUM.(4/20) H-REPTD FAV.
- S. 423 (MECKLENBURG) CORNELIUS CHARTER REVISION. H-REPTD FAV.
- S. 427 (SAMPSON) CLINTON FIREMEN'S RETIREMENT. H-REPTD FAV.
- S. 448 (DAVIDSON) THOMASVILLE CITY LIMITS. H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.
- #S. 479 (HALIFAX) ROANOKE RAPIDS CITY COUNCIL.(4/26) RATIFIED CH. 259.
- H. 228 (BUNCOMBE) INCORPORATING WOODFIN.(4/13, 4/13, 4/27) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- #H. 597 (MONTGOMERY) BISCOE STREET & SEWER CONNECTIONS. RATIFIED CH. 262.
- #H. 609 (ALAMANCE) BURLINGTON-ALAMANCE AIRPORT AUTH.. RATIFIED CH. 263.

- #H. 618 (CRAVEN) TRENT WOODS TAXING POWER.(4/16) RATIFIED CH. 264.
- H. 628 (CRAVEN) RESTRICTING HUNTING AREA. S-PASSED 2ND & 3RD READING.
- #H. 631 (JONES, LENOIR) DRAINAGE DISTRICT ABOLISHED. RATIFIED CH. 265.
- H. 635 (MOORE) MIXED DRINKS-ELECTION.(4/19, 4/19, 4/20) S-FLOOR AMENDS FAILED; S-PASSED 2ND READING.
- #H. 638 (BRUNSWICK) TAX LISTING REGULATIONS. RATIFIED CH. 266.
- #H. 640 (CLEVELAND) STREET IMPROVEMENT-SHELBY.(4/16) RATIFIED CH. 267.
- H. 644 (DURHAM, WAKE) RDU AIRPORT BONDS. H-REPTD FAV.
- H. 674 (DUPLIN, PENDER) HUNTING SEASON.(4/15) S-PASSED 2ND & 3RD READING.
- #H. 693 (FORSYTH) EXEMPT ED. BD., WATER-AIR ACT. H-REPTD UNFAV.
- H. 696 (BERTIE) CONTROLLING SWINE. S-PASSED 2ND & 3RD READING.
- H. 742 (BRUNSWICK) SHALLOTTE ABC PROFITS. H-REPTD FAV AS AMENDED.
- H. 745 (CABARRUS) KANNAPOLIS FIREMEN RETIREMENT. H-REPTD FAV.
- H. 748 (ROBESON) FAIRMONT COMM'RS' TERMS. H-REPTD FAV AS AMENDED.
- H. 767 (FRANKLIN) DEER HUNTING. H-REPTD FAV.
- H. 769 (PITT) SCHOOL BOARD ELECTION. H-PASSED 2ND & 3RD READING.
- H. 770 (IREDELL) PISTOL PERMITS. H-REPTD FAV.
- H. 786 (NASH) ADDITIONAL MAGISTRATE. H-PASSED 2ND & 3RD READING.

Next Sessions of Senate and House: 10:00 a.m., Friday, April 30, 1971.



DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 78

-627-

FRIDAY, APRIL 30, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 522 NCSU tobacco research-funds (Iden. H 836)
Introducer: Harrington

APPROPRIATION
Sent to APPROPN

"To appropriate funds to North Carolina State University agricultural experiment station for the continuation of research." Appropriates from General Fund to NCSU Ag Experiment Station, in addition to all other appropriations, \$125,000 per annum for each year of 1971-73 biennium for research in reduced tar and nicotine tobacco.

S 523 Farm land valuation-2 (Iden. H 834)
Introducers: Kirby and others

GS 105
Sent to FINANCE

"Relating to the classification, appraisal, valuation, assessment, and taxation of farmland." Adds new provisions classifying farmland, (as defined) as special class of property under Art. V, Sec. 2(2) of revised N.C. Const. Provides that land qualifying as farmland and used for farm purposes for 3 years preceding tax year of classification shall be uniformly taxed as class in every local taxing unit and shall be appraised only on basis of its value in its current use as farmland. Establishes procedures for obtaining farmland classification. Decision as to classification to be made by co. bd. of equalization and review upon recommendation of tax supervisor; appeal may be made to NC Bd of Assessment. Burden of showing land qualifies for farmland classification is on owner. Owner must make application for continuing classification preceding revaluation required by GS 105-278 (octennial revaluation). When land is classified as farmland, the tax supervisor shall enter two appraised values on property card: value as farmland and actual market value. When land previously classified as farmland loses its eligibility for such classification, it becomes subject to deferred taxes for year in which eligibility is lost and for 3 preceding years in amount equal to difference between taxes actually assessed and taxes that would have been assessed had the property been appraised at its true market value for the years in question, plus 6% annual interest on each year's deferred taxes. Tax bill for deferred taxes must be paid within 30 days after it is issued; penalty of 6% of total bill for nonpayment. Collection and foreclosure provisions of GS Ch. 105, Art. 27 made applicable. Owner of land classified as farmland must file notice of intent to change use of land with tax supervisor when land use changed. Effective July 1, 1971.

S 524 Drug abuse prevention education (Iden. H 616)
Introducer: McGeachy

APPROPRIATION
Sent to APPROPN

"To appropriate funds to the State Department of Public Instruction to provide for drug abuse prevention and education programs." Identical with H 616, digested in Bulletin No. 61, p. 454.



S 525 NC Pesticide Law of 1971-funds
Introducers: McGeachy and others

APPROPRIATION
Sent to APPROPRN

"To appropriate funds to implement the North Carolina Pesticide Act of 1971." To implement S 445 (identical with H 737), digested in Bulletin No. 68, p. 525, appropriates from General Fund for operating costs, \$98,523 for fiscal 1971-72 and \$175,607 for fiscal 1972-73; for purchase of equipment, \$58,750 for fiscal 1971-72 and \$63,500 for fiscal 1972-73; for training by NC Ag Extension Service, NCSU, \$100,000 for biennium 1971-73. Effective July 1, 1971.

S 526 NC projects-local inspection
Introducer: McGeachy

GS 143
Sent to ST GOVT

"To amend G.S. 143-135.1 pertaining to local inspection of State-owned projects." Amends said section to provide that counties and municipalities (now, only municipalities) have no power to subject to local inspection, building codes and requirements, inspection fees of any buildings constructed by State in accordance with plans and specifications approved by NC Dept of Admin. Continues right of local governments to request Dept of Admin to allow inspection of plans and specifications and requirement that Dept give consideration to local govt recommendations. Limits requests for inspection by local govts to specific projects. Provides that if any NC agency requires services of local govt authorities, agency, subject to prior approval of Dept of Admin, to give notice and pay appropriate fees for local govt services.

S 528 Taxation of banks-3
Introducers: Crawford and others

GS 105
Sent to BANKING

"To tax banks as other corporations." Makes changes in GS 105, as follows. Repeals bank excise tax. Makes corporate franchise tax applicable to banks. Deletes provisions making dividends from bank stock deductible in computing corporate income tax. Makes banks subject to corporate income tax. Deletes provisions making dividends from bank stock deductible in computing individual income tax. Makes intangible personal property tax applicable to banks beginning Jan. 1, 1972, provided such taxation is not prohibited by 12 U.S.C. § 548. Gives banks 45 days after effective date of act to file 1971 franchise tax reports and to list tangible personal property. Effective upon ratification and applicable to taxable years beginning on and after Jan. 1, 1971. For related bills see S 223 and H 108, digested Bulletins No. 37 and 13, at pages 260 and 84, respectively.

HOUSE

H 824 Exempt jurors over 70
Introducer: Beatty

GS 9
Sent to COURTS

"To amend Chapter 9 of the General Statutes so as to permit persons 70 years of age or over to be excused from jury duty upon their request." As title indicates. For related bill see H 760, digested in Bulletin No. 70, p. 549.

H 826 Divorce-trial without jury-2
Introducer: Short

GS 50
Sent to JUDIC 2

"To amend G.S. 50-10 to allow divorce actions to be tried by a judge or jury." Amends GS 50-10 as rewritten by Ch. 17, SL 1971 (originally H 44) to provide that judge as well as jury can determine material facts in divorce action, the procedure to be followed being that of the Rules of Civil Procedure. Removes current provisions of GS 50-10 concerning waiver of jury by failure to make demand after

accepting service of process. For related bill see S 116 (original bill digested in Bulletin No. 20, p. 129; amendment adopted in Senate 3/5/71 digested in Bulletin No. 38, p. 271), which was reported unfavorably in the House 4/27/71.

H 827 (Joint Resolution) Busing students-petition Cong. MISC RES
Introducers: Short and Campbell Sent to EDUCATN

"Petitioning the Congress of the United States concerning quality educational opportunities and bearing of additional costs of required busing by the federal government." Petitions US Congress to pay public school costs "made necessary by the federal government requiring the establishment of a unitary system to assure quality education" and to "make its requirements for quality education equally applicable to all states."

H 828 Correcting 1971 law GS 20
Introducer: Twiggs Sent to JUDIC 2

"To correct an incorrect statutory reference in Chapter 208 of the Session Laws of 1971." As title indicates.

H 829 License revocation, 90 mph GS 20
Introducer: Twiggs Sent to HY SAFETY

"To provide one year revocation of driving privilege upon conviction of operating a motor vehicle in excess of 90 miles per hour and to provide two year revocation upon conviction when fleeing a law enforcement officer at such speed." Adds new GS 20-141.4 providing that person convicted of driving in excess of 90 mph shall be guilty of misdemeanor and shall be punished by fine of not less than \$100 or more than \$200 or imprisonment for not more than 60 days or both. Adds new GS 20-141.5 providing that person convicted of fleeing apprehension in excess of 90 mph shall be guilty of misdemeanor and shall be punished by fine of not less than \$200 or more than \$400 or imprisonment for not more than 6 months or both. Adds 2 new subdivisions to GS 20-17 providing that conviction of operating a vehicle in excess of 90 mph is grounds for license revocation for 1 year and that conviction for fleeing apprehension in excess of 90 mph is grounds for license revocation for 2 years. Effective July 1, 1971.

H 830 NC payments to nursing homes GS 108
Introducer: Twiggs Sent to SOC SERV

"To amend G.S. 108-60 to provide for payments by the State Board of Social Services direct to nursing homes for medical and remedial care furnished therein as in the case of hospitals." Adds nursing homes to list of other institutions (hospitals, e.g.) and persons (physicians, e.g.) entitled to receive payments from Bd Soc Serv for stated care.

H 831 Decedents' assistance checks GS 108, 28
Introducer: Twiggs Sent to SOC SERV

"To amend G.S. 108-47 to provide for unsigned assistance checks payable to decedents to be delivered to the clerk of superior court to be administered by him." Adds new paragraph to GS 108-47 to provide that in the event of the death of a recipient of disability assistance, OAA or AFDC after first day of month for which assistance was granted, any assistance check not endorsed prior to death shall be delivered to clerk of superior court who shall administer it to pay debts and allowances of deceased in accordance with GS 28-68 through -68.3. Effective July 1, 1971.

H 832 Public assistance-US programs
Introducer: Twiggs

GS 108
Sent to SOC SERV

"To provide authority for the Governor, the State Board of Social Services, and the Advisory Budget Commission to adopt programs of public assistance provided for by federal legislation." Authorizes adoption of necessary rules and regulations and budget transfers to take advantage of federal programs when participation in Federal programs decreed desirable by Gov., NC Bd Soc Serv and Advis Budget Comm'n.

H 833 Social Security certifications
Introducer: Twiggs

GS 108
Sent to SOC SERV

"To amend G.S. 108-4 by re-enacting a provision for the State Board of Social Services to furnish certain certification services to the federal government so as to provide continuing authority for the Department of Social Services to continue to furnish certifications of disability of persons for the receipt of federal Social Security benefits." Authorizes NC Bd Soc Serv to furnish certification services required under Social Security Act and to accept reimbursement for those services.

H 834 Farm land valuation-2 (Iden. S 523)
Introducers: Speed and others

GS 105
Sent to FINANCE

"Relating to the classification, appraisal, valuation, assessment, and taxation of farmland." Identical with S 523, digested in Senate section of today's Bulletin.

H 835 NC Pesticide Law of 1971-funds (Iden. S 525)
Introducers: Speed and others

APPROPRIATION
Sent to APPROPRN

"To appropriate funds to implement the North Carolina Pesticide Act of 1971." Identical with S 525, digested in Senate section of today's Bulletin.

H 836 NCSU tobacco research-funds (Iden. S 522)
Introducer: Speed and others

APPROPRIATION
Sent to APPROPRN

"To appropriate funds to North Carolina State University Agricultural Experiment Station for the continuation of research." Identical with S522, digested in Senate section of today's Bulletin.

H 837 (Joint Resolution) Memorializing B. G. Parker, Jr.
Introducer: Speed and others

MISC RES
Sent to RULES

"Honoring the life and memory of Benjamin G. Parker, Jr." As title indicates.

H 838 Exempt legislators as jurors
Introducer: Taylor

GS 9
Sent to COURTS

"To relieve members of the General Assembly from the duty of jury service during sessions of the General Assembly." As title indicates.

LOCAL BILLS INTRODUCED

SENATE

S 527 White Oak River bridge fishing
Introducer: Mills

ONslow, CARTERET
Sent to ST GOVT

"To permit the Town of Swansboro to prohibit or regulate fishing from the bridges on N.C. Route #24 over the White Oak River." As title indicates.

HOUSE

H 825 Pikeville electric utility
Introducers: Kemp and Chase

WAYNE
Sent to LOC GOVT

"Concerning the Pikeville franchise for electric power." Requires affirmative vote of majority of residents of Pikeville before aldermen can release, sublet or give up town franchise for electric power.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 131 Rapid growth-small water systems (Iden. H 213, digested in Bulletin No. 23, p. 149; Committee Substitute, adopted in Senate 3/24/71, digested in Bulletin No. 51, p. 366; Senate amendments, adopted 3/30/71 and 4/2/71, digested in Bulletin No. 55, p. 395 and Bulletin No. 58, p. 424)

Amendments adopted in House 4/30/71 (1) authorize NC Bd of Health to require disinfection of existing public water supply only when water samples from that supply show coliform bacteria in excess of standards of US Public Health Service, or when conditions exist which make continued use of water potentially hazardous (in previous edition, Bd could require disinfection of existing systems not later than July 1, 1973); (2) specify that Bd can require provision of safe and adequate water supply to all service areas anticipated by owner or developer of system (clarifies language of previous edition); (3) specify that Bd's authorization to set standards for design and construction of systems applies only to those systems constructed or modified after Jan. 1, 1972 (no date given in previous edition); and (4) change effective date of act from July 1, 1971 to Jan. 1, 1972.

S 178 Flag desecration (Iden. H 317, digested in Bulletin No. 32, p. 223; Senate amendment adopted 4/15/71 digested in Bulletin No. 67, p. 519)
Amendments adopted in House 4/30/71 make one technical change and authorize punishment by both fine and imprisonment in discretion of court (originally, either fine or imprisonment).

S 206 Boat lifesaving device (digested in Bulletin No. 35, p. 244)
Amendment adopted in House 4/30/71 changes white light requirement from sunset to sunrise to "from one half hour after sunset to one half hour before sunrise."

HOUSE BILLS

H 347 Abolishment of coroner (original bill digested in Bulletin No. 35, p. 247; amendment in Bulletin No. 61, p. 460)
Amendments adopted in Senate 4/30/71 add following counties to list of counties exempted from provisions of bill: Halifax, Wake, Davie, Onslow, Richmond, Gaston and Rutherford.

H 727 No loitering at polls (digested in Bulletin No. 67, p. 516)

Amendments adopted in House 4/30/71 change distance limitation on loitering and electioneering from 100 feet to 50 feet and make act enforceable by precinct registrars (original bill gave enforcement power to co. bd. of elections only).

H 742 (Brunswick) Shallotte ABC profits (bill digested in Bulletin No. 68, p. 529)

Amendment adopted in House 4/30/71 makes technical amendments.

H 746 Deer hunting, Gates County (digested in Bulletin No. 69, p. 536)

Amendment adopted in House 4/30/71 adds provision for punishment by fine up to \$50 or imprisonment up to 30 days or both.

H 748 (Robeson) Fairmont comm'rs' terms (digested in Bulletin No. 69, p. 537)

Amendments making technical changes adopted in House 4/30/71.

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 53 AUTO BUMPERS.(4/29) S-PASSED 2ND & 3RD READING.
 S. 57 STOPPING ON HIGHWAYS.(4/29, 4/29) H-PASSED 3RD READING.
 #S. 93 CIVIL PROCEDURE REVISION.(4/01, 4/27) RATIFIED CH. 268.
 #S. 95 COSTS-OF-COURT CHANGES.(4/02) RATIFIED CH. 269.
 S. 100 STATE CAPITAL POLICE ARREST POWER.(2/17, 4/06, 4/07, 4/29, 4/29) S-REC TO CONCUR IN H AMEND; S-PLACED ON CAL FOR MAY 3.
 S. 131 RAPID GROWTH-SMALL WATER SYSTEMS.(3/24, 3/30, 4/02, 4/30, 4/30) H-COM AMENDS ADOPTED; H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING; H-PLACED ON CAL FOR MAY 4.
 S. 168 REGIONAL WATER SUPPLY PLANNING. H-PASSED 2ND READING; H-RE-REF COM ON APPROPN.
 S. 173 BANKS 5-DAY WEEK.(3/11) H-POSTPONED TO MAY 4.
 S. 178 FLAG DESECRATION.(4/15, 4/30, 4/30, 4/30) H-FLOOR AMEND #1 ADOPTED; H-FLOOR AMEND #2 ADOPTED; H-FLOOR AMEND #2 WITHDRAWN; H-FLOOR AMEND #3 ADOPTED; H-PASSED 2ND & 3RD READING.
 S. 206 BOAT LIFESAVING DEVICE.(4/15, 4/30) H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING.
 S. 222 UNC/REG. UNIV. BDS.-STUDENTS.(4/20) H-PASSED 2ND READING; H-PLACED ON CAL FOR MAY 4.
 S. 283 GROSS RECEIPTS TAX DEDUCTION. H-REC FROM SENATE; H-REF TO COM ON FINANCE.
 S. 301 CITIZENSHIP RESTORATION. S-PLACED ON CAL FOR MAY 3.
 S. 317 WORKMEN'S COMPENSATION-DISEASES.(4/27) S-PLACED ON CAL FOR MAY 4.
 S. 325 REPAYING SAVINGS & LOAN ASS'N. H-REC FROM SENATE; H-REF TO COM ON BANKS.
 S. 356 DEER HUNTING-BERTIE & N'HAMPTON. S-PLACED ON CAL FOR MAY 5.
 S. 374 INCREASE BUILDING CODE COUNCIL. H-POSTPONED TO MAY 4.
 S. 436 NO REPORT-DEER HIT BY AUTO. S-PASSED 2ND & 3RD READING.
 S. 446 UNIFORM CRIME REPORTING SYSTEM. S-PLACED ON CAL FOR MAY 4.
 S. 475 STATE PURCHASES AND CONTRACTS. S-PASSED 3RD READING.
 S. 481 MANUFACTURE OF BEDDING. S-REPTD FAV.
 S. 486 REFORMATORIES-LAW REWRITE. S-PLACED ON CAL FOR MAY 3.
 S. 487 PATROLEM'S EQUIPMENT-DISPOSITION. S-PASSED 2ND & 3RD READING.
 #S. 505 (J.RES.) INVITING GOVERNOR TO GEN. ASS'M.. RATIFIED RES. 57.
 S. 515 HONORING S.E. BURGESS. H-REC FROM SENATE; H-PASSED 2ND & 3RD READING.
 #H. 38 ANNUAL LEGISLATIVE SESSIONS. H-REPTD UNFAV.

- H. 247 NAME CHANGE, COURT RECORDS. (4/27, 4/29) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.
- #H. 289 BOAT LIFESAVING DEVICES. H-POSTPONED INDEF.
- H. 316 DEAD DOG NOTIFICATION. (4/02, X/XX) S-REPTD FAV.
- H. 326 SCHOOL ACCESS ROAD ACQUISITION. S-REPTD FAV.
- H. 327 PAVING PUBLIC SCHOOL DRIVEWAYS. S-REPTD FAV.
- H. 328 FIREHOUSE DRIVEWAY PAVING. (4/23) S-REPTD FAV.
- #H. 341 BANK FEES TO REALTORS. (4/01) RATIFIED CH. 272.
- H. 347 ABOLISHMENT OF CORONER. (3/26, 4/07, 4/30, 4/30) S-COM AMEND ADOPTED; S-FLOOR AMEND ADOPTED; S-PLACED ON CAL FOR MAY 4.
- H. 370 REALTY BROKERS-UNEMPLOYMENT INS.. (4/21) H-RE-REF COM ON JUDIC 2.
- H. 423 FRANCHISE, INTANGIBLES TAX CERTIF.. S-REPTD FAV.
- H. 534 ALIMONY DEFENSES. H-POSTPONED TO MAY 5.
- H. 553 NARCOTISM REFERENCE IN CURRICULUM. S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
- H. 626 ABORTIONS RESIDENCY, MD REQUIREMENT. S-PLACED ON CAL FOR MAY 4.
- #H. 655 STATE FISH-RED DRUM. RATIFIED CH. 274.
- H. 673 SCHOOL BUS OPERATORS CERTIFICATION. S-PASSED 2ND READING.
- H. 708 SOIL-WATER CONSERVATION COMM.. H-PASSED 2ND READING.
- H. 727 NO LOITERING AT POLLS. (4/30) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 736 US CONST.-RATIFY 18 HR. AMEND.-2. H-REPTD FAV.
- #H. 738 US CONST.-RATIFY 18 YR. AMEND-2. H-REPTD UNFAV.
- H. 746 DEER HUNTING, GATES COUNTY. (4/30) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 773 WORKMEN'S COMP. APPEALS EXPENSE. (4/29) H-POSTPONED TO MAY 5.
- H. 774 REGULATING UNC CAMPUS ROADS. S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
- H. 793 MEMBERS-HOUSING & REDEV. GROUP. H-PASSED 2ND READING.

LOCAL BILLS

- #S. 319 (ROWAN) SALISBURY SCHOOL BOARD TERM. RATIFIED CH. 270.
- S. 410 (DURHAM, WAKE) RDU AIRPORT BONDS. H-PASSED 2ND READING.
- S. 414 (HAYWOOD) COUNTY MANAGER REFERENDUM. (4/20) H-PASSED 2ND & 3RD READING.
- S. 423 (MECKLENBURG) CORNELIUS CHARTER REVISION. H-PASSED 2ND READING.
- S. 427 (SAMPSON) CLINTON FIREMEN'S RETIREMENT. H-PASSED 2ND & 3RD READING.
- #H. 228 (BUNCOMBE) INCORPORATING WOODFIN. (4/13, 4/13, 4/27) RATIFIED CH. 271.
- #H. 628 (CRAVEN) RESTRICTING HUNTING AREA. RATIFIED CH. 273.
- H. 635 (MOORE) MIXED DRINKS-ELECTION. (4/19, 4/19, 4/20) S-FLOOR AMENDS FAILED; S-PASSED 3RD READING.
- H. 644 (DURHAM, WAKE) RDU AIRPORT BONDS. H-PASSED 2ND READING.
- #H. 674 (DUPLIN, PENDER) HUNTING SEASON. (4/15) RATIFIED CH. 275.
- #H. 696 (BERTIE) CONTROLLING SWINE. RATIFIED CH. 276.

- H. 742 (BRUNSWICK) SHALLOTTE ABC PROFITS.(4/30) H-COM AMEND ADOPTED;
H-PASSED 2ND & 3RD READING.
- H. 745 (CABARRUS) KANNAPOLIS FIREMEN RETIREMENT. H-PASSED 2ND & 3RD
READING.
- H. 748 (ROBESON) FAIRMONT COMM'RS' TERMS.(4/30) H-COM AMEND ADOPTED;
H-PASSED 2ND & 3RD READING.
- H. 767 (FRANKLIN) DEER HUNTING. H-PASSED 2ND & 3RD READING.
- H. 769 (PITT) SCHOOL BOARD ELECTION. S-REC FROM HOUSE; S-REF TO COM
ON EDUCATN.
- H. 770 (IREDELL) PISTOL PERMITS. H-PASSED 2ND & 3RD READING.
- H. 786 (NASH) ADDITIONAL MAGISTRATE. S-REC FROM HOUSE; S-REF TO COM
ON COURTS.

Next Sessions of Senate:

10:00 a.m., Saturday, May 1, 1971, for the consideration of local
bills only; 8:00 p.m., Monday, May 3, 1971.

Next Sessions of House:

8:00 a.m., Saturday, May 1, 1971, for the consideration of local
bills only; 8:00 p.m., Monday, May 3, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
P. O. BOX 7294, RALEIGH, N. C.
27611 TEL. (919) 755-3355
(919) 829-7677

BULLETIN NO. 79

-637-

MONDAY, MAY 3, 1971

Note: The Senate convened at 10:00 a.m. and the House at 8:00 a.m. on Saturday, May 1, 1971, for consideration of local bills only. No bills were introduced and no calendar action was taken in either Chamber.

PUBLIC BILLS INTRODUCED

SENATE

S 529 (Joint Resolution) Inviting Vice-President Agnew MISC RES
(Iden. H 839)

Introducer: Patterson

Passed three readings
and sent to House

"Inviting the Honorable Spiro T. Agnew, Vice-President of the United States, to address a Joint Session of the Senate and House of Representatives at 12:30 p.m., May 6, 1971." As title indicates.

S 530 DMV limited driving privilege
Introducers: Scott and Jones

GS 20
Sent to HY SAFTY

"To allow hearing officers of the Department of Motor Vehicles to grant limited driving privileges restricted to employment in hearings conducted under G.S. 20-16(d)." Adds new GS 20-16(e) providing in any hearing on suspension of license held under authority of GS 20-16(d) (except GS 20-16(a) (11) hearing in which court has suspended sentence on condition party not operate motor vehicle for specified period) the DMV representative in hardship cases may grant licensee limited driving privilege to operate motor vehicle in course and scope of his employment. Makes violation of provisions of limited driving privilege misdemeanor punishable by \$100 fine, 60 days imprisonment, or both.

S 531 Emergency Medicaid funds (Iden. H 841)
Introducers: Henley and Killian

APPROPRIATION
Sent to APPROPRN

"To make an emergency appropriation to provide funds necessary to meet the nonfederal share of Medicaid expenses in excess of county appropriations heretofore made for the current fiscal year." Appropriates to Dep't of Social Services \$1,000,000 from General Fund to be placed in State Fund for Medical Assistance, funds to be used as nonfederal matching funds in counties which have expended all available funds for Medicaid. Requires bd. of county comm'rs of each county qualifying for funds under act to pay into State Fund for Medical Assistance during fiscal year beginning July 1, 1971 an amount equal to amount expended on behalf of such county pursuant to act.

S 532 Labor managers-license tax
Introducer: Bailey

GS 105
Sent to FINANCE

"To amend G.S. 105-90(d) to limit the license tax levied by counties, cities and towns on the businesses taxed under this section to one hundred and fifty dollars



(\$150.00)." Amends GS 105-90(d) (emigrant and employment agents; taxation of firms contracting with laborers in State for employment outside State) as title indicates (now, license tax limited to that levied by State, or \$500 for each county in which such business is carried on).

S 533 Comm. college, tech. inst. support
Introducers: Scott and Church

GS 115A
Sent to EDUCATN

"Authorizing the tax levying authority of a community college, technical institute and industrial education center organized and operated pursuant to Chapter 115A of the General Statutes to provide for local financial support of the institution." Adds new subsection (f) to GS 115A-20 granting the tax levying authority (bd. or bds. of comm'rs) for a community college, technical institute or industrial education center the authority to provide in its own discretion for appropriations of nontax and/or tax revenues for support of the functions of the institution as set out in GS 115A-19 (capital outlay, general administration, operation and maintenance of plant, fixed charges). Effective July 1, 1971.

S 534 Manpower Council appropriation (Iden. H 840)
Introducer: Scott

APPROPRIATION
Sent to APPROPN

"To appropriate funds to the Department of Administration for the Manpower Council. Identical with H 840 digested in House section of today's Bulletin"

S 535 Prevocational training approp.
Introducers: Alley and others

APPROPRIATION
Sent to APPROPN

"To appropriate \$500,000 to the State Board of Education, Department of Community Colleges, for operation of prevocational training programs for unemployed persons of low motivation." Appropriates \$200,000 for fiscal 1971-72 and \$300,000 for fiscal 1972-73 as title indicates. Effective July 1, 1971.

HOUSE

H 839 (Joint Resolution) Inviting Vice-President Agnew
(Iden. S 529)
Introducers: Andrews and Culpepper

MISC RES

Passed three readings
and sent to Senate

"Inviting the Honorable Spiro T. Agnew, Vice-President of the United States, to address a joint session of the Senate and House of Representatives at 12:30 p.m., May 6, 1971." Identical with S 529, digested in Senate section of today's Bulletin.

H 840 Manpower Council appropriation (Iden. S 534)
Introducer: S. Johnson

APPROPRIATION
Sent to APPROPN

"To appropriate funds to the Department of Administration for the Manpower Council." As title indicates, appropriates from General Fund for operating expenses sum of \$100,000 for 1971-73 biennium, to be allocated so that an equal amount is available in each fiscal year of the biennium.

H 841 Emergency Medicaid funds (Iden. S 531)
Introducers: Royall and others

APPROPRIATION
Sent to APPROPN

"To make an emergency appropriation to provide funds necessary to meet the nonfederal share of Medicaid expenses in excess of county appropriations heretofore made for the current fiscal year." Identical with S 531, digested in the Senate section of today's Bulletin.

H 842 Driver's license suspension
Introducers: McDaniel and others

GS 20
Sent to HY SAFTY

"To amend G.S. 20-17 to provide for driver's license revocation upon plea to lesser offense of driving under the influence." Adds new GS 20-17(9) providing for automatic revocation for 6 months of driver's license of person charged with violating GS 20-138 (driving under influence) and found to have blood alcohol of .10% as determined by breathalyzer test who thereafter pleads guilty to lesser offense.

H 845 Recorded instruments, quality
Introducer: C. Smith

GS 161
Sent to JUDIC 1

"Amending G.S. 161-14 to require that instruments presented for registration be of acceptable quality for recordation by photographic and microphotographic processes." Amends GS 161-14 to require instruments presented to register of deeds for recordation be on paper and ink of color, quality, size and condition so as to permit the making of a legible and permanent copy by photographic or microphotographic process. If instrument is not in a condition to make such a copy, register of deeds to indorse thereon "Record of poor quality due to condition of original document."

H 846 Return of recorded maps
Introducer: C. Smith

GS 47
Sent to JUDIC 1

"To amend G.S. 47-30 to permit the return of certain recorded maps." Amends GS 47-30(b) to permit register of deeds to return original maps of which permanent master copies have been made to persons who presented them for recordation. Originals recorded and filed before July 1, 1971 of which permanent master copies have been made may also be returned.

H 847 Grantor index-entry of satisfaction
Introducer: C. Smith

GS 45
Sent to JUDIC 1

"To repeal G.S. 45-40 relating to the entry of satisfaction of the grantor index of mortgages and deeds of trust by the registers of deeds." Repeals GS 45-40, which requires registers of deeds to enter notations of satisfaction or cancellation on alphabetical grantor index opposite the names of the grantor and grantee when any mortgage or deed of trust is satisfied.

H 848 Foreclosure notice-microfilm
Introducer: C. Smith

GS 45
Sent to JUDIC 1

"Relating to entry of notice of foreclosure in counties using microphotographic processes for recording deeds." Amends GS 45-38 and adds new GS 45-39 to provide that in registers of deeds offices using photographic or microphotographic processes where notice of foreclosure of a mortgage or deed of trust is entered by recording a separate document, notation of foreclosure need not be made in the alphabetical indices opposite the names of the grantor and grantee.

H 849 Rockingham Co. forester
Introducers: McMichael and Webster

APPROPRIATION
Sent to APPROPN

"To appropriate funds to the Department of Conservation and Development so as to assist in providing a forest ranger in Rockingham County." Appropriates to C&D \$17,030 for fiscal 1971-72 and \$11,208 for fiscal 1972-73 to be used toward paying and providing equipment for a forester and an assistant county forest ranger for Rockingham County. Effective July 1, 1971.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 843 Burlington realty sales
Introducers: Harris and Long

ALAMANCE, GS 160
Sent to LOC GOVT

"To amend Section 160-59 of the General Statutes of North Carolina so as to exclude the City of Burlington as to the sale of two particularly described parcels of real property." Exempts Burlington from provisions of GS 160-59 ("Public sale by governing body; private sale to other governmental units") to permit private sale by City Council of two particularly described parcels of land.

H 844 Bd. of Educ. election
Introducer: Josey

HALIFAX
Sent to EDUCATN

"To provide for the election of members of the Halifax County Board of Education." Provides for staggered elections to four-year terms of members of Co. Bd. of Ed. Four members appointed by Ch. 248, 1969 SL, to four-year terms expiring April, 1973, are to serve terms expiring December, 1972, instead (Mssrs. Moore and Wilcox and Mrs. Shearing and Mrs. Leggett). Their successors are to be elected at 1972 county primary elections to four-year terms, and successors to be elected to four-year terms in 1976 county primary elections and every four years thereafter. Three members appointed by Ch. 248, 1969 SL, to two-year terms expiring April, 1971, to serve terms expiring at time of county primary elections in 1974, instead (Mssrs. Walston and Burt and Mrs. Williams). Their successors are to be elected at 1974 county primary elections to four-year terms, and successors to be elected for four-year terms every four years thereafter. Provides for election by plurality. Sets forth oath-taking requirements. Requires election procedures to conform to GS Ch. 115, Art. 5 except as modified by bill. Specifically repeals Ch. 608, 1967 SL.

H 850 No catfish limit
Introducer: Haynes

YADKIN
Sent to WILDLIFE

"To permit the unrestricted taking of catfish in Yadkin County," Makes it lawful to take catfish at any time in Yadkin County notwithstanding any regulation of Wildlife Resources Comm'n.

H 851 Bd. of Ed.-per diem
Introducer: Andrews

CHATHAM
Sent to EDUCATN

"To increase per diem allowance to members of Chatham County Board of Education." Amends Ch. 755, SL 1965 to raise per diem of chairman of Chatham Bd. of Education to \$25 (now, \$20) and to raise per diem of other members to \$20 (now, \$15). Raises mileage allowance for both chairman and members to 8¢ per mile (now, 7¢).

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 230 Gasoline advertising (original bill digested in Bulletin No. 39, p. 276; Senate Committee Substitute digested in Bulletin No. 55, p. 395)
Amendment adopted in House 5/3/71 provides that advertisements of price of any grade of motor fuel must clearly indicate if price is dependent on purchaser himself drawing or pumping fuel. (Rewrites section 1 of Senate Committee Substitute.)

- S 262 Welcoming the original 13 (digested in Bulletin No. 42, p. 301)
Amendment adopted in House 5/3/71 corrects list of original 13 states by adding Massachusetts to same.
- S 276 Rural fire districts exclusions (digested in Bulletin No. 43, p. 310)
Amendment adopted in House 5/3/71 makes new GS 69-25.16 excluding electric generating plants from rural fire protection districts applicable only to districts coming into existence after 5/1/71.
- S 293 Archaeological salvage-highways (digested in Bulletin No. 47, p. 337; amendment adopted in Senate 4/1/71 digested in Bulletin No. 57, p. 415)
Amendment adopted in House 5/3/71 provides (1) Dep't of Archives to consult other agencies or institutions having special knowledge in making salvage determinations and (2) Dep't may enter into contracts with agencies and institutions of governmental units as well as with the units themselves.

SENATE AND HOUSE

CALENDAR ACTION

MAY 03, 1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 53 AUTO BUMPERS.(4/29) H-REC FROM SENATE; H-REF TO COM ON HWY SAFTY.
S. 57 STOPPING ON HIGHWAYS.(4/29, 4/29) S-PLACED ON CAL FOR MAY 4.
S. 100 STATE CAPITAL POLICE ARREST POWER.(2/17, 4/06, 4/07, 4/29, 4/29) S-CONCURRED IN H AMENDS.
S. 178 FLAG DESECRATION.(4/15, 4/30, 4/30, 4/30) S-PLACED ON CAL FOR MAY 4.
S. 206 BOAT LIFESAVING DEVICE.(4/15, 4/30) S-PLACED ON CAL FOR MAY 4.
S. 230 GASOLINE ADVERTISING.(3/30, 5/03) H-COM AMEND ADOPTED; H-PASSED 2ND READING.
S. 238 WORKMEN'S COMP. BENEFITS INCREASE. H-PASSED 2ND & 3RD READING.
S. 244 NONRES. HUNTING LICENSE PROCEEDS.(3/26) H-PASSED 2ND & 3RD READING.
S. 262 (J.RES.) WELCOMING THE ORIGINAL 13.(5/03) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
S. 263 EMPLOYMENT OF WELFARE RECIPIENTS. H-PASSED 2ND & 3RD READING.
S. 276 RURAL FIRE DISTRICTS EXCLUSIONS. H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
S. 280 WORKMEN'S COMP.-RADIATION WORKERS. H-PASSED 2ND & 3RD READING.
S. 281 WORKMEN'S COMP.-TOTAL DISABILITY. H-PASSED 2ND READING.
S. 293 ARCHAEOLOGICAL SALVAGE-HIGHWAYS.(4/01) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
S. 295 WILDLIFE RESOURCES DISTRICTS. H-PASSED 2ND & 3RD READING.
S. 301 CITIZENSHIP RESTORATION. S-PASSED 2ND & 3RD READING.
S. 337 WORKMEN'S COMP.-EMPLOYEE DEATH-1. H-PASSED 2ND READING.
S. 385 STATE-OWNED VEHICLE-TAGS. S-REPTD FAV AS AMENDED.
S. 406 TAX REFUNDS TO CHARITABLE GROUPS. H-PASSED 2ND & 3RD READING.
S. 424 JUDICIAL DEPARTMENT CHANGES.(4/23) H-POSTPONED TO MAY 4.
S. 436 NO REPORT-DEER HIT BY AUTO. H-REC FROM SENATE; H-REF TO COM ON WILDLIFE.
S. 475 STATE PURCHASES AND CONTRACTS. H-REC FROM SENATE; H-REF TO COM ON STATE GOVT.
S. 481 MANUFACTURE OF BEDDING. S-PASSED 2ND READING.
S. 486 REFORMATORIES-LAW REWRITE. S-PASSED 2ND & 3RD READING.
S. 487 PATROLEM'S EQUIPMENT-DISPOSITION. H-REC FROM SENATE; H-REF TO COM ON HWY SAFTY.
#S. 515 HONORING S.E. BURGESS. RES. 58.

- S. 529 INVITING VICE-PRESIDENT AGNEW. S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PLACED ON CALENDAR.
- H. 245 HUMAN TISSUE SALE.(4/27, 4/29) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.
- H. 316 DEAD DOG NOTIFICATION.(4/02, X/XX) S-PASSED 2ND & 3RD READING.
- H. 326 SCHOOL ACCESS ROAD ACQUISITION. S-PASSED 2ND & 3RD READING.
- H. 327 PAVING PUBLIC SCHOOL DRIVEWAYS. S-PASSED 2ND & 3RD READING.
- H. 328 FIREHOUSE DRIVEWAY PAVING.(4/23) S-PASSED 2ND & 3RD READING.
- H. 423 FRANCHISE, INTANGIBLES TAX CERTIF.. S-PASSED 2ND READING.
- H. 466 REGIONAL JAIL OPERATIONS.(4/05) S-REPTD FAV AS AMENDED.
- H. 468 REGULATING SUBDIVISION SALES. S-REPTD FAV.
- H. 673 SCHOOL BUS OPERATORS CERTIFICATION. S-PASSED 3RD READING.
- H. 727 NO LOITERING AT POLLS.(4/30) S-REC FROM HOUSE; S-REF TO COM ON POLICIES.
- H. 746 DEER HUNTING, GATES COUNTY.(4/30) S-REC FROM HOUSE; S-REF TO COM ON WILDLIFE.
- H. 793 MEMBERS-HOUSING & REDEV. GROUP. H-PASSED 3RD READING.
- H. 839 (J.RES.) INVITING VICE-PRESIDENT AGNEW. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 403 (AVERY) PRIMARY ELECTIONS. S-REPTD FAV.
- S. 410 (DURHAM, WAKE) RDU AIRPORT BONDS. H-PASSED 3RD READING.
- #S. 414 (HAYWOOD) COUNTY MANAGER REFERENDUM.(4/20) RATIFIED CH. 277.
- S. 423 (MECKLENBURG) CORNELIUS CHARTER REVISION. H-PASSED 3RD READING.
- #S. 427 (SAMPSON) CLINTON FIREMEN'S RETIREMENT. RATIFIED CH. 278.
- S. 468 (ONslow) GARBAGE FACILITIES. S-REPTD FAV.
- S. 477 (SURRY) ELKIN FIREMEN'S SUPP. BENEFIT. S-REPTD FAV AS AMENDED.
- S. 491 (POLK) TRYON CHARTER. S-REPTD FAV.
- S. 507 (GUILFORD) CONDEMNATION PROCEDURES. S-REPTD FAV.
- H. 526 (GUILFORD) EMINENT DOMAIN BROADENED. S-REPTD FAV.
- H. 589 (VANCE) AMBULANCE BILLS.(4/23) S-REPTD FAV.
- H. 601 (DAVIE) MOCKSVILLE POLICE JURISDICTION-1 MI. S-REPTD FAV.
- H. 602 (IREDELL) STATESVILLE-IREDELL CIVIC CENTER. S-REPTD FAV.
- H. 612 (MECKLENBURG) PRIVATE USE OF PUBLIC VEHICLES. S-REPTD FAV.
- H. 621 (GASTON) LICENSING BAIL BONDSMEN.(4/23) S-REPTD FAV.
- H. 622 (IREDELL) STATESVILLE, MOORESVILLE POLICE. S-REPTD FAV AS AMENDED.
- #H. 635 (MOORE) MIXED DRINKS-ELECTION.(4/19, 4/19, 4/20) RATIFIED CH. 279.
- H. 642 (STANLY) COUNTY HOME-SALE.(4/16) S-REPTD FAV.
- #H. 644 (DURHAM, WAKE) RDU AIRPORT BONDS. H-POSTPONED INDEF.
- H. 657 (NEW HANOVER) SCHOOL TEACHER PENSIONS. S-REPTD FAV.
- H. 659 (CRAVEN) NUMBERED SEATS IN ELECTIONS.(4/23) S-REPTD FAV.
- H. 664 (POLK) SALUDA PROPERTY EXCHANGE. S-REPTD FAV.

- H. 667 (COLUMBUS) WHITEVILLE FIREMEN RETIREMENT FUND. S-REPTD FAV.
- H. 669 (CUMBERLAND) AIR RIFLES RESTRICTED. S-REPTD FAV.
- H. 671 (WILKES) NORTH WILKESBORO ANNEXATION. S-REPTD FAV.
- H. 675 (ORANGE) TAX LISTING. S-REPTD FAV.
- H. 702 (BRUNSWICK) OCEAN ISLE ABC PROFITS. S-REPTD FAV.
- H. 703 (BRUNSWICK) LONG BEACH ABC PROFITS. S-REPTD FAV.
- H. 719 (LINCOLN) CHAMBER OF COMMERCE DUES. S-REPTD FAV.
- H. 724 (NEW HANOVER) COUNTY COMM'RS FILL JOBS.(4/23) S-REPTD FAV.
- H. 725 (NEW HANOVER) COUNTY COMM'RS APPOINT AUDITOR. S-REPTD FAV.
- H. 726 (NEW HANOVER) COUNTY MOSQUITO CONTROL PROGRAM. S-REPTD FAV.
- H. 729 (JOHNSTON) BAIL BONDSMEN & RUNNERS. S-REPTD FAV.
- H. 731 (WILSON) BOARD OF EDUCATION ELECTION. S-REPTD FAV.
- H. 732 (PERQUIMANS) WINFALL CHARTER REVISION. S-REPTD FAV AS AMENDED.
- H. 734 (MECKLENBURG) CHARLOTTE SYMPHONY FUNDS. S-REPTD FAV.
- H. 741 (RUTHERFORD) COUNTY AIRPORT AUTHORITY. S-REPTD FAV.
- H. 742 (BRUNSWICK) SHALLOTTE ABC PROFITS.(4/30) S-REC FROM HOUSE; S-REF TO COM ON ABC.
- H. 745 (CABARRUS) KANNAPOLIS FIREMEN RETIREMENT. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 748 (ROBESON) FAIRMONT COMM'RS' TERMS.(4/30) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 767 (FRANKLIN) DEER HUNTING. S-REC FROM HOUSE; S-REF TO COM ON WILDLIFE.
- H. 770 (IREDELL) PISTOL PERMITS. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

Next Sessions of Senate and House: 12:00 Noon, Tuesday, May 4, 1971.



DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 80

-647-

TUESDAY, MAY 4, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 536 1969 zoo appropriation
Introducer: Baugh

APPROPRIATION
Sent to APPROPRN

"To amend Chapter 1271 of the Session Laws of 1969 relating to an appropriation to the North Carolina Zoological Authority." Amends cited chapter to repeal condition of 1969 appropriation that Zoological Authority not ask any future sessions of Gen'l Assembly for additional appropriations.

S 538 NC Mem. Hosp. directors
Introducer: Henley

GS 116
Sent to HIGHR ED

"To amend G.S. 116 relating to the University of North Carolina to provide for the establishment of a board of directors for the North Carolina Memorial Hospital." Adds new GS 116-11.1 creating 12-member board of directors for NC Memorial Hosp., nine members to be appointed by Consolidated Univ. Trustees and to include persons with experience in medicine and management, and three ex officio members to be UNC vice-chancellors for Health Affairs and for Business and Finance, and Dean of UNC Med School. Provides for 5-year staggered terms for other members; directs nine appointed members to choose chairman; requires board to meet at least every 60 days and allows special meetings at call of chairman. Sets out powers and duties of directors which include: adopting rules, regulations, and policies for management of hosp.; electing and removing director of hosp.; entering into contracts with UNC-CH for certain purposes. Executive head of hospital to be called Director and to be appointed by Bd. of Directors and report to them quarterly or more often as required. Director and hospital personnel to be subject to State Personnel Act. Provides for hospital finances to be subject to Executive Budget Act and creates hospital business and budget office independent of business office of UNC-CH. Hospital purchases made subject to GS Ch. 143, Arts. 3 and 3A, and independent purchasing office established. Full responsibility for control of hospital property to be in Bd. of Directors. Effective July 1, 1971.

S 539 Certain State agencies abolished (Iden. H 864)
Introducer: Futrell

GS 20, 82, 113, 136, 143, 153
Sent to ST GOVT

"To abolish certain State agencies." Identical to H 864, digested in House section of today's Bulletin.

S 540 State gov't reorganization (Iden. H 863)
Introducer: Futrell

GS 143, APPROPRIATION
Sent to ST GOVT

"To reorganize State government." Identical to H 863, digested in House section of today's Bulletin.



S 541 Criminal Justice Academy funds (Iden. H 852) APPROPRIATION
Introducers: Strickland and Gudger Sent to APPROPRN

"To appropriate \$750,000 for the Criminal Justice Academy." Identical to H 852, digested in House section of today's Bulletin.

S 542 Mortuary tables GS 8
Introducers: Gudger and others Sent to JUDIC 2

"To revise and update the life tables in the General Statutes." Revises, updates and adds five new "completed ages" (105 through 109) to mortuary tables in GS 8-46 which establish life expectancies that may be received in evidence in all courts, generally increasing expectancies from one-half to three-and-one-half years.

S 543 Foresters' registration (Iden. H 855) GS 113, 93A
Introducer: McGeachy Sent to ST GOVT

"To establish the State Board of Registration of Foresters in North Carolina and to define its powers & duties, to provide for the registration of foresters, to define the practice of forestry, and to provide penalties for violation thereof." Identical with H 855, digested in House section of today's Bulletin.

S 544 No bedroom visitation GS 14, 116
Introducer: Coggins Sent to HIGHR ED

"To prohibit visitation in student dormitory bedrooms on State supported educational institution campuses by students of the opposite sex." Prohibits students in State supported educational institutions from visiting campus bedroom or other sleeping quarters of student of opposite sex, violation of act being grounds for suspension or expulsion. Does not apply to married students visiting bedrooms of their spouses.

HOUSE

H 852 Criminal Justice Academy funds (Iden. S 541) APPROPRIATION
Introducer: Falls Sent to APPROPRN

"To appropriate \$750,000 for the Criminal Justice Academy." Appropriates from General Fund to Dep't of Administration \$350,000 for fiscal 1971-72 and \$400,000 for fiscal 1972-73 for Criminal Justice Academy. (For digest of bill establishing Academy see identical S 453 and H 759, digested in Bulletin No. 70, p. 549.)

H 853 Service on nonresident motorists GS 1
Introducer: J. C. Johnson Sent to JUDIC 1

"To provide for service of process on out-of-state motorists by service of process on the Commissioner of Motor Vehicles by reenactment of G.S. 1-105 and G.S. 1-105.1." Reenacts GS 1-105 and -105.1 (repealed by Ch. 954, 1967 SL). Provides that non-resident who operates motor vehicle in NC is deemed to appoint Comm'r of Motor Vehicles as attorney for himself and his executor or administrator for service of process in legal actions or proceedings arising out of accidents involving nonresident as driver of motor vehicle. Sets forth manner of service of process: (1) service of process with Comm'r together with \$1.00 fee; (2) notice of service and copy thereof to defendant by registered mail (includes provisions covering situations in which defendant refuses service or can not be found); and (3) defendant's return receipt of registered mail, or postal authorities' notation that receipt was refused, and

plaintiff's affidavit of compliance with provisions of bill. Sets forth similar procedure for serving process on residents who establish residence outside NC and on residents who depart from NC. Effective July 1, 1971.

H 855 Foresters-registration (Iden. S 543)
Introducer: Messer

GS 113, 93A
Sent to ST GOVT

"To establish the State Board of Registration of Foresters in North Carolina and to define its powers & duties, to provide for the registration of foresters, to define the practice of forestry, and to provide penalties for violation thereof." Establishes State Board of Registration of Foresters consisting of five registered foresters to be appointed by Gov. and to each serve five year term (with exception that initial five members to serve terms of one, two, three, four and five years, respectively), the board to meet at least twice a year, to receive per diem expenses, and to have the duty of registering foresters (defined as any person specially trained in certain forestry courses and practicing professional forestry services). Sets out requirements for registration as forester, which are as follows: (1) be of good moral character; (2) either be a graduate of approved four-year forestry curriculum with a bachelor's degree and two years' experience, or have passed written examination showing equivalent knowledge and have spent five immediately preceding years in forestry work, or be a NC resident who has been engaged in forestry practice since July 1, 1966 and has made written application for registration by June 30, 1972. Provides for reciprocity for out-of-state foresters. Requires application and certification fees of \$5 each, those moneys to go into Registered Foresters Fund to be managed by bonded secretary of Board and out of which expenses of Board and its employees are to be met. Makes registration valid for one year and authorizes Board to set renewal fee of up to \$5, with procedures given for late renewal and possible re-examination. Sets out procedures for revocation of registration for misconduct or incompetence, providing hearing on any charges preferred against any registrant, with appeal to superior court on revocation or suspension. Requires Board to keep record of all its proceeding, register of all applicants and certain personal information on each, and roster of registrants to be distributed to Sec. of State and clerks of court, and gives Board power to subpoena witnesses and records in revocation and suspension hearings. Exempts foresters selling only standing timber from requirements of real estate licensing. Makes it general misdemeanor to falsely hold oneself out as registered forester, or to falsify information in obtaining registration, or to otherwise violate act. Effective July 1, 1971.

H 856 Nuke power plant ins.
Introducer: Leatherman

GS 58
Sent to INSUR

"To amend certain sections of Chapter 58 of the General Statutes to authorize public utilities to procure policies of insurance on risks at their nuclear electric generating plants in foreign or alien insurance companies." Amends GS 58-53.1 as title indicates. Adds to GS 58-2 (definitions under Insurance Law) a definition of "nuclear insured". Amends GS 58-54.21 to exempt insurance contracts issued to nuclear insureds from prohibition against insurance business in NC by insurance companies not certified by Comm'r of Insurance.

H 858 Ports Authority earnings
Introducer: Penton

GS 105
Sent to FINANCE

"To repeal Section 13 of Chapter 820 of the Laws of 1949, thereby relieving North Carolina State Ports Authority of the obligation to pay certain net earnings to the State Treasurer." Repeals Sec. 13, Ch. 820, 1949 SL, which provides that net profits of NC Ports Authority to be paid to NC Treasurer, credits payments to NC Ports Bond Sinking Fund, provides for method of retiring Ports Authority bonds, sets forth

manner of use of surplus, and creates pledge to pay bonds out of Fund.

H 862 Public school employee sick leave
Introducer: Paschall

APPROPRIATION, GS 115
Sent to APPROPN

"To amend G.S. 115-11(13) authorizing the State Board of Education to provide sick leave for all public school employees." As title indicates (statute now specifically applies to teachers and principals, does not mention employees).

H 863 State gov't reorganization (Iden. S 540)
Introducer: Barbee

GS 143, APPROPRIATION
Sent to ST GOVT

"To reorganize State Government." Enacts Executive Organization Act of 1971, providing for reorganization of State Government into 20 principal departments (including Offices of Governor and Lt. Governor), dep'ts of existing eight other elective State officials, and 10 additional dep'ts as indicated below. Provides for Governor to be chief exec. officer, responsible for formulating and administering policies of exec. branch, and for finally resolving conflicts in admin. of policies concerning reorganization. Effective Jan. 1, 1973, provides for Lt. Gov. to maintain an office in Raleigh open year-round in normal working hours; to serve as Pres. of Senate; and to perform additional duties assigned him by Gov. or Gen. Assembly.

Provides for transfers of existing State agencies (dep'ts, institutions, committees, boards, officials, etc.) to one of 20 proposed principal dep'ts shown in table on green paper at the end of this Bulletin, as one of three designated types of transfers. Defines "Type I" transfer as transferring all or part of existing agency to a principal dep't, including all powers, duties, functions, records, personnel, property, and unexpended balances, including rule-making, licensing, promulgation of rates and standards, and rendering of findings and orders and adjudications. Defines "Type II" transfer as transferring intact an agency (or part thereof) to a principal dep't with the agency to continue to exercise its statutory functions of rule-making, adoption of standards, and rendering of findings, orders and adjudications independent of dep't head, except that management functions of agency shall be performed under supervision and direction of principal dep't head. ("Management functions" mean planning, organizing, staffing, directing, coordinating, reporting and budgeting.) Defines "Type III" transfers as transferring intact an agency (or part thereof) to principal dep't, with agency to exercise all its statutory powers independently of principal dep't head, except that "the related management functions" of transferred agency to be performed under direction and supervision of principal dep't head. Provides for any agency established by General Assembly but not enumerated in Act to continue to exercise its powers, duties and functions.

Authorizes heads of principal dep'ts with approval of Governor and Advis. Budg. Com'n to establish, combine or abolish divisions and units, and to (re)allocate employees, powers, duties and functions to such divisions and units. Provides for Gov. to appoint dep't heads to serve at pleasure; for dep't heads to appoint chief deputies or assistants; and for dep't heads to appoint all employees under dep't. Exempts Governor's staff, dep't heads, and chief deputies or ass'ts from State Personnel Act. Provides for dep't head's salary to be set by Advis. Budg. Com'n on recommendation of Gov.; and for chief deputy's or ass't's salary to be set by dep't head with approval of Director of Administration.

Provides for new dep'ts under Act to be activated by exec. order not later than July 1, 1972, and for transfers of agencies into existing dep'ts not later than Sept. 30, 1971 (the eight dep'ts headed by elective officials, plus Dep'ts of Revenue, Administration and Local Affairs). Authorizes Gov. to transfer appropriations and funds of any agency to its dep't. Secretaries of new dep'ts to report to Gov. by March 1, 1973 for transmittal to Gen. Assem. his recommendations for legislation to further effectuate dep'ts' functions and promote efficiency and economy. Each dep't to submit annual plan of work to Gov. and Advis. Budg. Com'n in advance of fiscal year and annual report at end of fiscal year. Authorizes Gov. and Council of State to make additional funds available to implement reorganization (when adequate funds not available from transferred agencies) not in excess of \$100,000 per year for all dep'ts.

H 864 Certain State agencies abolished (Iden. S 539) GS 20, 82, 113, 136, 143,
Introducer: Barbee 153
Sent to ST GOVT

"To abolish certain State agencies." Abolishes Interdepartmental Building Reg. Com'ee (GS 143-143.1); NC Stadium Auth (GS Ch. 143, Art. 23A); Western NC Regional Planning Comm'n (GS Ch. 153, Art. 21); NC Turnpike Auth (GS Ch. 136, Art. 6E); Comm'rs of Wrecks (GS Ch. 82); Vehicle Equipment Safety Compact (GS Ch. 20, Art. 3C); Atomic Energy Advisory Com'ee (Ch. 481, 1959 SL); Brunswick-New Hanover Maritime Comm'n (Ch. 1097, 1965 SL); Seashore Advisory Board (GS 113-14.2); George Washington Statue Comm'n (Ch. 1082, 1963 SL); Robert Lee Doughton Memorial Comm'n (Ch. 1079, 1961 SL); and Comm'n on the Education and Employment of Women (GS Ch. 143, Art. 50). Effective July 1, 1971.

LOCAL BILLS INTRODUCED

SENATE

S 537 Pen-raised quail sales PENDER, GS 113
Introducers: Burney and Warren Sent to WILDLIFE

"Relating to the propagation and labeling and sale of pen raised quail for food purposes in Pender County." Amends GS 113-105 and adds new GS 113-105.2 to provide that license may be obtained from Comm'r of Wildlife Resources for pen-raising wild quail. Carcasses of quail processed by a licensed dealer must be stamped with dealer's license number and year, stamp to be obtained from Comm'n. When birds are dressed for food purposes and stamped as provided in bill, they may be received and transported by common carriers. Violation of act is misdemeanor punishable by maximum fine of \$50 or maximum imprisonment of 30 days or both. Amendments applicable to Pender County only.

HOUSE

H 854 Abolish indust. dev. comm'n MADISON
Introducers: L. Ramsey and Messer Sent to LOC GOVT

"Abolishing the Madison County Industrial Development Commission." Abolishes comm'n, repeals act creating it, and requires delivery of comm'n's books, records and equipment to Bd. of Co. Comm'rs.

H 857 Sediment control
Introducers: F. Farmer and others

FORSYTH
Sent to LOC GOVT

"To authorize either the City of Winston-Salem or Forsyth County or both by ordinances to regulate soil erosion." Authorizes Bd. of Co. Comm'rs to adopt ordinances to (a) prevent soil erosion by requiring submission of plans of projects which may alter natural structure of land mass, (b) establish sediment control program requiring permit to alter land mass and establishing criteria and standards for sediment control, and (c) regulate alteration of land mass in territorial jurisdiction of any municipality in county if governing body of municipality agrees to such regulation (gives governing body authority to withdraw agreement on one year's notice). Grants similar authority to governing bodies of Winston-Salem and other municipalities in county.

H 859 Beer and wine elections
Introducers: Burrus and Roberson

DARE
Sent to LOC GOVT

"To amend Chapter 802 Session Laws of 1961 relating to beer and wine elections in Dare County." As title indicates, makes technical changes in local act authorizing elections in Hatteras and Kennakeet townships.

H 860 Rodanthe-Waves-Salvo District
Introducers: Burrus and Roberson (by request)

DARE
Sent to LOC GOVT

"To provide for an election in the community of Rodanthe-Waves-Salvo on the question of continuing the Rodanthe-Waves-Salvo Community Center District." Directs Dare Board of Comm'rs to call and conduct indicated election on continuation of District and ad valorem tax levy (5¢ on \$100) supporting community center. Establishes procedures for election and gives form of ballot proposition.

H 861 Airport authority
Introducer: Burrus

DARE
Sent to LOC GOVT

"Enabling the County of Dare to establish an airport authority." Creates corporate body, to be directed by 7-member board appointed by co. comm'rs to 4-year staggered terms. Authority's powers include purchase, acquisition and maintenance of airport and landing field facilities, borrowing money and issuing tax-exempt bonds, making rules and regulations for operation of airport, and eminent domain. County comm'rs authorized to appropriate funds to airport authority from non-property tax sources.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 385 State-owned vehicles-tags (original bill digested in Bulletin No. 59, p. 433)
Amendments adopted in Senate 5/4/71 provide that permanent registration plates for State-owned vehicles to be of distinctive color and design (original bill required distinctive color only) and provide that bill does not modify GS 14-250 (marking publicly owned vehicles).

S 424 Judicial Department changes (digested in Bulletin No. 66, p. 503; prior amendment digested in Bulletin No. 73, p. 582)

Amendment adopted in House 5/4/71 makes technical changes.

- S 477 (Surry) Elkin firemen's supp. benefit (digested in Bulletin No. 72, p. 571)
Technical amendment adopted in Senate 5/4/71.

HOUSE BILLS

- H 102 Housing Authority boundaries (digested in Bulletin No. 12, p. 79)
Committee Substitute adopted in Senate 5/4/71 differs from original in: (1) removing restriction on increasing area of operation of regional housing authority that holders of notes and bonds of county housing authority for county to be added must give written consent to regional authority taking over obligation, and (2) removing specific requirement that county comm'rs of county being excluded from area of operation of regional authority had to find that having another authority for that county would be more efficient because of changed circumstances (committee substitute leaves out reference to changed circumstances).
- H 466 Regional jail operations (digested in Bulletin No. 47, p. 338; prior amendment digested in Bulletin No. 59, p. 437)
Amendment adopted in Senate 5/4/71 adds new sec. 2.1 providing jail comm'n for Pasquotank, Perquimans and Camden Counties shall be composed of 4 members, 2 from Pasquotank and 1 each from Perquimans and Camden.
- H 622 (Iredell) Statesville, Mooresville police (original bill digested in Bulletin No. 61, p. 459)
Amendment adopted in Senate 5/4/71 provides bill shall not diminish lawful authority of county sheriff and that sheriff's jurisdiction supersedes that of municipal police officers with respect to law enforcement and criminal investigation outside municipal jurisdictions.
- H 732 (Perquimans) Winfall charter revision (digested in Bulletin No. 67, p. 519)
Amendment adopted in Senate 5/4/71 provides that mayor and aldermen shall receive compensation stated in bill until bd. of comm'rs takes action pursuant to GS 160-9.1 (authorizing municipal bds to set own compensation).

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3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 57 STOPPING ON HIGHWAYS.(4/29, 4/29) S-CONCURRED IN H AMENDS.
S. 63 RETIREMENT OF JUDGES-CONST.. S-REPTD FAV.
S. 64 RETIREMENT OF JUDGES-STAT.. S-REPTD FAV.
S. 89 FIREMEN'S PENSION AFTER 20 YEARS. H-REPTD FAV.
#S. 100 STATE CAPITAL POLICE ARREST POWER.(2/17, 4/06, 4/07, 4/29, 4/29) RATIFIED CH. 280.
S. 131 RAPID GROWTH-SMALL WATER SYSTEMS.(3/24, 3/30, 4/02, 4/30, 4/30) H-PASSED 3RD READING.
S. 151 REVENUE NOTES-HIGHER EDUCATION. S-REPTD FAV.
S. 173 BANKS 5-DAY WEEK.(3/11) H-PASSED 3RD READING.
S. 178 FLAG DESECRATION.(4/15, 4/30, 4/30, 4/30) S-CONCURRED IN H AMENDS.
S. 206 BOAT LIFESAVING DEVICE.(4/15, 4/30) S-CONCURRED IN H AMEND.
S. 222 UNC/REG. UNIV. BDS.-STUDENTS.(4/20) H-PASSED 3RD READING.
S. 230 GASOLINE ADVERTISING.(3/30, 5/03) H-PASSED 3RD READING.
#S. 238 WORKMEN'S COMP. BENEFITS INCREASE. RATIFIED CH. 281.
#S. 244 NONRES. HUNTING LICENSE PROCEEDS.(3/26) RATIFIED CH. 282.
S. 262 (J.RES.) WELCOMING THE ORIGINAL 13.(5/03) S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.
#S. 263 EMPLOYMENT OF WELFARE RECIPIENTS. RATIFIED CH. 283.
S. 276 RURAL FIRE DISTRICTS EXCLUSIONS.(5/03) S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.
#S. 280 WORKMEN'S COMP.-RADIATION WORKERS. RATIFIED CH. 284.
S. 281 WORKMEN'S COMP.-TOTAL DISABILITY. H-PASSED 3RD READING.
S. 293 ARCHAEOLOGICAL SALVAGE-HIGHWAYS.(4/01, 5/03) S-REC TO CONCUR IN H AMEND; S-PLACED ON CAL FOR MAY 5.
#S. 295 WILDLIFE RESOURCES DISTRICTS. RATIFIED CH. 285.
S. 317 WORKMEN'S COMPENSATION-DISEASES.(4/27) S-PASSED 3RD READING.
S. 337 WORKMEN'S COMP.-EMPLOYEE DEATH-1. H-PASSED 3RD READING.
S. 374 INCREASE BUILDING CODE COUNCIL. H-PASSED 2ND & 3RD READING.
S. 380 LOCAL RETIREM'T SYSTEM ADMIN. H-REPTD FAV.
S. 381 INCREASED LOCAL RETIREM'T BENEFITS. H-REPTD FAV.
S. 385 STATE-OWNED VEHICLE-TAGS.(5/04, 5/04) S-COM AMEND ADOPTED; S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
#S. 406 TAX REFUNDS TO CHARITABLE GROUPS. RATIFIED CH. 286.
S. 424 JUDICIAL DEPARTMENT CHANGES.(4/23, 5/04) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
S. 433 ELECTIONS, PRIMARIES VOTING HOURS. S-REPTD FAV AS AMENDED.
S. 446 UNIFORM CRIME REPORTING SYSTEM. S-PLACED ON CAL FOR MAY 5.

- S. 481 MANUFACTURE OF BEDDING. S-PASSED 3RD READING.
- S. 497 HIGHER ED.-BONDS, ASSISTANCE. S-REPTD FAV.
- S. 509 ASS'T SOLICITORS-4 DIV.. S-REPTD FAV; S-RE-REF COM ON APPROPN.
- S. 512 JUVENILE CORRECTION, WORK PAY. S-REPTD FAV.
- S. 513 JUVENILE CORRECTION BD. FUNDS. S-REPTD FAV.
- S. 517 ASS'T SOLICITORS-1 DIV.. S-REPTD FAV; S-RE-REF COM ON APPROPN.
- S. 518 ASS'T SOLICITORS-3 DIV.. S-REPTD FAV; S-RE-REF COM ON APPROPN.
- S. 520 ASS'T SOLICITORS-2 DIV.. S-REPTD FAV; S-RE-REF COM ON APPROPN.
- #S. 529 (J.RES.) INVITING VICE-PRESIDENT AGNEW. H-POSTPONED INDEF.
- #H. 36 ABANDONED CEMETERIES. H-REPTD UNFAV.
- #H. 43 18 YEAR OLD CONTRACTS. H-REPTD UNFAV.
- H. 102 HOUSING AUTHORITY BOUNDARIES.(5/04) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
- #H. 316 DEAD DOG NOTIFICATION.(4/02, X/XX) RATIFIED CH. 289.
- #H. 326 SCHOOL ACCESS ROAD ACQUISITION. RATIFIED CH. 290.
- #H. 327 PAVING PUBLIC SCHOOL DRIVEWAYS. RATIFIED CH. 291.
- #H. 328 FIREHOUSE DRIVEWAY PAVING.(4/23) RATIFIED CH. 292.
- H. 347 ABOLISHMENT OF CORONER.(3/26, 4/07, 4/30, 4/30) S-RE-REF COM ON PUB HLTH.
- H. 423 FRANCHISE, INTANGIBLES TAX CERTIF.. S-PASSED 3RD READING.
- H. 455 EMPLOYING MINORS-PHYSICAL EXAM. S-REPTD FAV.
- H. 466 REGIONAL JAIL OPERATIONS.(4/05, 5/04) S-COM AMEND ADOPTED; S-PASSED 2ND READING.
- H. 468 REGULATING SUBDIVISION SALES. S-RE-REF COM ON LOC GOVT.
- H. 498 CORPORATE STAMPS FOR SEALS.(4/22) S-REPTD FAV AS AMENDED.
- H. 501 (H.RES.) RATIFYING 19TH AMENDMENT. S-REPTD FAV.
- H. 502 ENTICING SERVANT LAW REPEALED. S-REPTD FAV.
- H. 503 ENTICING SEAMEN LAW REPEALED. S-REPTD FAV.
- H. 504 SECRETING SEAMEN LAW REPEALED. S-REPTD FAV.
- H. 505 SEAMEN SEARCH WARRANTS REPEALED. S-REPTD FAV.
- H. 506 SEAMEN CASE APPEALS ABOLISHED. S-REPTD FAV.
- H. 524 TAX-SHELTERED ANNUITIES-3. H-REPTD FAV.
- H. 576 ARMED GANG OF DETECTIVES. S-REPTD FAV.
- H. 626 ABORTIONS RESIDENCY, MD REQUIREMENT. S-PLACED ON CAL FOR MAY 5.
- #H. 673 SCHOOL BUS OPERATORS CERTIFICATION. RATIFIED CH. 293.
- #H. 690 PROSECUTING OFFICER-ESCAPEES. S-REPTD UNFAV.
- H. 708 SOIL-WATER CONSERVATION COMM.. S-REC FROM HOUSE; S-REF TO COM ON AGRICULT.
- H. 733 JOB CERT. FOR MINORS BY DOCTORS. S-REPTD FAV.
- H. 735 (J.RES.) STUDY COMM'N-ELECTION ABUSES.(4/23, 4/26) S-REPTD FAV.
- H. 736 US CONST.-RATIFY 18 YR. AMEND.-2. S-REC FROM HOUSE; S-REF TO COM ON CONSTUTN.
- H. 776 REMOVAL OF GRAVES. H-REPTD FAV AS AMENDED.

- H. 793 MEMBERS-HOUSING & REDEV. GROUP. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
H. 829 LICENSE REVOCATION-90 MPH. H-REPTD FAV AS AMENDED.
#H. 839 (J.RES.) INVITING VICE-PRESIDENT AGNEW. RATIFIED RES. 59.

LOCAL BILLS

- S. 403 (AVERY) PRIMARY ELECTIONS. S-PASSED 2ND & 3RD READING.
#S. 410 (DURHAM, WAKE) RDU AIRPORT BONDS. RATIFIED CH. 287.
#S. 423 (MECKLENBURG) CORNELIUS CHARTER REVISION. RATIFIED CH. 288.
S. 468 (ONSLOW) GARBAGE FACILITIES. S-PASSED 2ND READING.
S. 471 (BRUNSWICK) YAUPON BEACH ABC STORES. S-REPTD FAV.
S. 477 (SURRY) ELKIN FIREMEN'S SUPP. BENEFIT.(5/04) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
S. 478 (ASHE) JEFFERSON ABC STORES. S-REPTD FAV.
S. 491 (POLK) TRYON CHARTER. S-PASSED 2ND READING.
S. 507 (GUILFORD) CONDEMNATION PROCEDURES. S-PASSED 2ND READING.
S. 508 (COLUMBUS) WHITEVILLE COLD BEER. S-REPTD FAV.

H. 526 (GUILFORD) EMINENT DOMAIN BROADENED. S-PASSED 2ND & 3RD READING.
H. 589 (VANCE) AMBULANCE BILLS.(4/23) S-PASSED 2ND & 3RD READING.
H. 590 (FRANKLIN) YOUNGSVILLE ABC ELECTION. S-REPTD FAV.
H. 601 (DAVIE) MOCKSVILLE POLICE JURISDICTION-1 MI. S-PASSED 2ND & 3RD READING.
H. 602 (IREDELL) STATESVILLE-IREDELL CIVIC CENTER. S-PASSED 2ND READING.
H. 612 (MECKLENBURG) PRIVATE USE OF PUBLIC VEHICLES. S-PASSED 2ND & 3RD READING.
H. 621 (GASTON) LICENSING BAIL BONDSMEN.(4/23) S-PASSED 2ND & 3RD READING.
H. 622 (IREDELL) STATESVILLE, MOORESVILLE POLICE.(5/04) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
H. 641 (MECKLENBURG) MINT HILL ABC PROFITS. S-REPTD FAV.
H. 642 (STANLY) COUNTY HOME-SALE.(4/16) S-PASSED 2ND & 3RD READING.
H. 643 (ROCKINGHAM) FIVE GALLON LIQUOR-MADISON. S-REPTD FAV.
H. 657 (NEW HANOVER) SCHOOL TEACHER PENSIONS. S-PASSED 2ND & 3RD READING.
H. 659 (CRAVEN) NUMBERED SEATS IN ELECTIONS.(4/23) S-PASSED 2ND & 3RD READING.
H. 664 (POLK) SALUDA PROPERTY EXCHANGE. S-PASSED 2ND & 3RD READING.
H. 667 (COLUMBUS) WHITEVILLE FIREMEN RETIREMENT FUND. S-PASSED 2ND & 3RD READING.
H. 669 (CUMBERLAND) AIR RIFLES RESTRICTED. S-PASSED 2ND & 3RD READING.
H. 671 (WILKES) NORTH WILKESBORO ANNEXATION. S-PASSED 2ND READING.
H. 675 (ORANGE) TAX LISTING. S-PASSED 2ND READING.
#H. 678 (DAVIE) MOCKSVILLE ABC REFERENDUM. S-REPTD UNFAV.
H. 702 (BRUNSWICK) OCEAN ISLE ABC PROFITS. S-PASSED 2ND & 3RD READING.

- H. 703 (BRUNSWICK) LONG BEACH ABC PROFITS. S-PASSED 2ND & 3RD READING.
- H. 719 (LINCOLN) CHAMBER OF COMMERCE DUES. S-PASSED 2ND & 3RD READING.
- H. 724 (NEW HANOVER) COUNTY COMM'RS FILL JOBS.(4/23) S-PASSED 2ND & 3RD READING.
- H. 725 (NEW HANOVER) COUNTY COMM'RS APPOINT AUDITOR. S-PASSED 2ND & 3RD READING.
- H. 726 (NEW HANOVER) COUNTY MOSQUITO CONTROL PROGRAM. S-PASSED 2ND & 3RD READING.
- H. 729 (JOHNSTON) BAIL BONDSMEN & RUNNERS. S-PASSED 2ND & 3RD READING.
- H. 731 (WILSON) BOARD OF EDUCATION ELECTION. S-PASSED 2ND & 3RD READING.
- H. 732 (PERQUIMANS) WINFALL CHARTER REVISION.(5/04) S-COM AMEND ADOPTED; S-PASSED 2ND READING.
- H. 734 (MECKLENBURG) CHARLOTTE SYMPHONY FUNDS. S-PASSED 2ND & 3RD READING.
- H. 741 (RUTHERFORD) COUNTY AIRPORT AUTHORITY. S-PASSED 2ND READING.

Next Sessions of Senate and House: 12 noon, Wednesday, May 5, 1971.

#

Governor Robert W. Scott delivered his State Government Reorganization Message to a joint session of the General Assembly today. In the message, he discussed generally the work of the Governor's Commission on State Government Reorganization and the time-table for completing the reorganization of state agencies and departments. He summarized his recommendations that most agencies, departments, boards, and functions consolidated under twenty major departments and addressed himself to certain specific items concerning the proposed Departments of Natural and Economic Resources and Administration. The Governor discussed generally the proposals contained in the Executive Organization Act of 1971, the legislation implementing his recommendations, and stated that additional legislation would most likely be required in 1973. For a digest of the Executive Organization Act of 1971, see the House section of today's Bulletin and the organizational chart on the following two pages.

PRINCIPAL DEP'TS & ASSIGNMENT OF EXISTING AGENCIES (showing I, II or III transfer)

1. Department of the Secretary of State
Secretary of State-I
State Board of Elections-III
Notaries Public-I
2. Department of State Auditor
State Auditor-I
NC Firemen's Pension Fund-II
LEOBR Fund-II
State Board of Pensions-II
3. Department of State Treasurer
State Treasurer-I
Local Government Commission-III
TSERS-II
NC Pub. Gov't ERS-II
Pub. Employees' Soc. Sec. Agency-I
Legislative Retirement Fund-II
The Tax Review Board-III
4. Department of Public Instruction
Sup't of Public Instruction-I
State Board of Education-III
Dep't of Community Colleges-III
Vocational Textile School-III
Interst. Compact for Educ.
NC Advancement School-III
Interst. Agreem. Qualif'ns of
Educ. Pers.
Textbook Commission-III
5. Department of Justice
Attorney General-I
SBI-I
Fire Investigators-I
General Statute Commission-II
Company Police Powers & Functions-I
Police Information Network-I
6. Department of Agriculture
Comm'r of Agriculture-I
Board of Agriculture-II
Structural Pest Control Div.-II
NC Agricultural Hall of Fame-I
Gasoline & Oil Inspection Bd.-II
NC Rural Rehab. Corp.-II
NC Bd. Crop Seed Improvement-II
NC Pub. Livestock Mart Advis. Bd.-I
State Museum-I
7. Department of Labor
Comm'r of Labor-I
Bd. Boiler Rules, Bur. of
Boiler Inspection-I
Apprenticeship Council-I
Vol. Arbit. Labor Disputes-I
8. Department of Insurance
Comm'r of Insurance-I
Insur. Advisory Board-I
Health Insur. Advis. Bd.-I
Building Code Council-II
State Volunteer Fire Dep't-I
9. Department of Administration
Secretary, Dep't of Admin.-I
Systems Management Division-I
State Personnel Dep't & Bd.-II
NC Housing Corporation-II
NC Capitol Planning Comm'n-II
Youth Councils Act, Youth Advisory
Bd., State Youth Council-I
NC Zoological Authority-II
NC Good Neighbor Council-I
NC Comm'n on Interst. Coop.-II
State Construction Fin. Auth.-I
Marine Science Council-I
Coordinating Com'ee NCSU & State
Dep't of Agric.-I
So. Interst. Nuclear Compact-I
NC Capitol Bldg. Auth.-II
10. Department of Transportation and
Highway Safety
State Highway Commission-II
Dep't of Motor Vehicles-II
Governor's Hy. Safety Program-I
NC Traffic Safety Auth.-I
Bd. of Comm'rs Cape Fear Navig. Pilot.-II
Gov's Aviation Committee-I
NC Railroad Directors-II
Atlantic and NC RR Co.-II
State Ports Authority-II
11. Dep't of Natural and Economic Resources
Dep't & Bd. of C & D-II
Wildlife Resources Comm'n-II
Dep't of Water & Air Resources-II
Bd. of Water & Air Resources-II
Water Control Advis. Council & Air
Control Advis. Council-II
NC Bd. of Science & Tech.-II
NC Forestry Advisory Committee-I
Mining Council-II
Com'l & Sports Fish. Advis. Bd.-I
NC National Park etc. Dev. Comm'n-I
Seashore Advisory Bd.
John Kerr Reserv. Devel. Comm'n-II
L'hard Gaddv Wild Goose Ref. Comm'n-II
State Soil & Water Cons. Comm.-II
NC Water Safety Committee-II
Atl. States Marine Fish. Compact-I
Interstate Mining Council

12. Dep't of Health & Social Services
 - State Board of Health-II
 - Salt Marsh Mosquito Advis. Comm'n-I
 - Office of Chief Med. Exam'r-I
 - State Dep't of Soc. Services-II
 - State Bd. of Soc. Services-II
 - Advis. Com'ee Med. Assistance-I
 - State Dep't of Mental Health-II
 - State Board of Mental Health-II
 - Med'l Advis. Council to Board of Mental Health-I
 - Mental Health Council-I
 - Advis. Council on Alcoholism to Board of Mental Health-I
 - Medical Care Commission
 - Advis. Council to Medical Care Commission-II
 - NC State Comm'n for the Blind-II
 - Blind Advis. Com'ee-Professional Advisory Committee-II
 - Voc. Rehab. Division-I
 - Eugenics Bd. of NC-II
 - The Governor Morehead School-II
 - NC School for Deaf; Eastern NC School for Deaf-II
 - NC Orthopedic Hospital-II
 - NC Cerebral Palsy Hospital-II
 - Human Resources Div., Dep't of Local Affairs-I
 - NC Sanatoriums for Treatment of TB-II
 - Interst. Compact Mental Health Council on Mental Retardation-II
 - NC Cancer Study Comm'n-II
 - Interst. Compact on Juveniles
 - NC Board of Anatomy-II
 - Gov's Co-ord. Council on Aging-I
 - Confed. Woman's Home Assoc.-II
 - Gov's Com'ee on Employment of Handicapped-I
13. Dep't of Soc. Rehabilitation & Control
 - State Dep't of Correction-II
 - State Bd. of Juvenile Correction-II
 - State Probation Comm'n-II
 - Board of Paroles-II
 - Interst. Agreem. on Detainers
 - Unif. Act, Out-of-State Parolee Supervision-I
14. Department of Commerce
 - State Bd. of Alcoh. Control-III
 - Utilities Commission-III
 - Employment Secur. Comm'n-III
 - NC Industrial Commission-III
 - Comm'r on Banks, Banking Comm'n-III
 - Bldg. & Loan Assoc. Divis., Dep't of Insurance-III
 - Savings & Loan Advis. Bd.-I
 - Credit Union Division, Dep't of Agriculture-III
 - NC Milk Comm'n-III
 - NC Burial Comm'r-III
 - NC Burial Comm'n-III
 - NC Rural Electrifi. Auth.-III
15. Department of Revenue
 - Comm'r of Revenue-I
 - Dep't of Tax Research-I
 - State Bd. of Assessment-III
16. Dep't of Art, Culture, and History
 - State Dep't of Arch. & History-II
 - Historic Sites Advis. Com'ee-II
 - NC State Library-II
 - Interst. Library Compact
 - NC Museum of Art-I
 - NC State Art Society-I
 - State Art Museum Bldg. Comm'n-I
 - Library Certif. Bd.-I
 - NC Arts Council-I
 - Memorials Commission-I
 - Exec. Mansion Fine Arts Comm'n-I
 - NC Symphony Society-I
 - Other Historical Comm'ns-I
17. Department of Local Affairs
 - Secretary of Local Affairs-I
 - Advis. Council, Local Affairs-I
 - Com'ee on Recreation, Com'ee on Law and Order, and other Com'ees
18. Dep't of Military & Veteran's Affairs
 - Adjutant General's Dep't-I
 - State Civil Def. Agency-I
 - State Civil Air Patrol-II
 - Dep't Veterans' Affairs-II
 - Armory Comm'n-II
 - Nat. Gd. Mutual Assist. Compact-I

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

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BULLETIN NO. 81

-661-

WEDNESDAY, MAY 5, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 545 (Senate Resolution) Agnew golf invite, warning MISC RES
Introducer: Saunders Passed three readings

"Inviting the Vice President of the United States to play golf in Moore County."
Invites Spiro T. Agnew to play golf in low-density areas of Moore County during his visit to North Carolina, and sets out procedures for warning the populace. Identical content with H 866.

S 546 (Joint Resolution) Memorializing Bray MISC RES
Introducer: Wood Passed three readings
and sent to House

"Honoring the memory of Robert Lee Bray, former legislator." As title indicates.

S 547 (Joint Resolution) Ramp-State Vegetable MISC RES, GS 145
(Iden. H 867) Sent to PUB HLTH
Introducer: Alley

"Designating the ramp as the official North Carolina State Vegetable and the week of May 9th as 'Ramp Week'." Designates week of May 9th as "Ramp Week" and makes that delicacy the official State Vegetable for that week.

S 548 Cost reduction incentive bonus GS 138
Introducers: Rauch and others Sent to ST GOVT

"To provide for cost reduction incentive bonuses for State employees." Adds new Article 2 to GS Ch. 138 (proposed GS 138-8 through 138-13) providing for incentive bonus payments for employees of participating State agencies; Advisory Budget Comm'n to select no fewer than three agencies (each with annual "A" budget appropriation of not less than \$200,000 for each year of biennium) for initial participation in plan, with designated agencies in subsequent years required only to have 50% or more support from State funds. Directs State Budget Officer to determine the difference between the amount appropriated to the agency in the "A" budget for the fiscal year and the amount actually expended during the fiscal year, with the agency's Incentive Bonus Fund to be 25% of the unexpended portion of the "A" budget when this unexpended portion is 20% or more of the agency's "A" budget for the year, 20% when the unexpended portion is 15% or more, 15% when 10% or more, and 10% when 5% or more. Provides Incentive Bonus Fund to be divided among agency employees assigned to the agency for at least the last 6 months of fiscal year in question, the share of each employee to be a sum which bears the same percentage relationship to the agency's bonus fund as that employee's previous calendar year salary bears to the total of the previous calendar year salaries of all participating employees in the participating agency.



S 549 Shipwreck salvage approp.

Introducers: Allsbrook and others

APPROPRIATION

Sent to APPROPRN

"To appropriate funds for the archaeological survey, excavation, and salvage of State-owned shipwrecks and other underwater archaeological sites." Appropriates \$29,370 in fiscal 1972-73 to Dep't of Archives and History to be used for archeological survey, excavation and salvage of shipwrecks and other underwater archeological sites in or adjacent to State-owned waters (1967 acts gave State title to certain wrecks and artifacts unclaimed after 10 years, and authorized Dep't to set up staff for program funded by this bill). Effective July 1, 1971.

S 550 Eng. and land survey law rewrite

Introducers: Allsbrook and others

GS 89

Sent to JUDIC 1

"To rewrite Chapter 89 of the General Statutes relating to engineering and land surveying." Completely rewrites GS Ch. 89, establishing a comprehensive procedure for licensing and regulating the practice of professional engineering and land surveying. Creates NC Bd. of Registration for Engineers and Land Surveyors, consisting of five registered professional engineers (1 to be "an educator") for Bd.'s Engineering Section and five registered land surveyors in private practice (2 to have dual registration as professional engineer and land surveyor and 2 to be certified for subdivision work) for Land Surveying Section. All Bd. members to be US and NC citizens/residents and have been practicing professional engineers or land surveyors for at least 10 years in NC (land surveyor members to have at least 5 years' private practice). Governor to appoint members of Bd., giving preferential consideration to nominees of professional engineering and land surveying societies in NC. Members to serve staggered terms (present Bd. members to continue in office until respective terms expire). Bd.'s powers include investigating all matters in its jurisdiction (as proposed by bill), compelling attendance of witnesses, administering oaths, taking testimony, employing executive secretary (bill specifies his duties), establishing and conducting instructional programs for persons currently registered to practice engineering or land surveying and for prospective engineers and land surveyors, and certifying professional engineers and land surveyors. Persons seeking certification to pay registration fees (\$20 for registration, maximum \$15 for each eight-hour examination) and meet following standards: satisfactory compliance with requirements of bill in opinion of Bd. or previous licensing in another state which grants reciprocity to NC professional engineers or land surveyors. Requirements for professional engineer include (a) graduation from engineering curriculum approved by Bd. and completion of 4 years' experience acceptable to Bd., (b) graduation from related science curriculum approved by Bd. and completion of 6 years' experience acceptable to Bd., or (c) rightful possession of certificate as engineer (as set forth in bill) and at least 10 years' experience acceptable to Bd. Requirements for land surveyor include (a) 2 years' technical school or college civil engineering curriculum approved by Bd. and satisfactory record of 4 years of progressive practical experience in land surveying (2 of which to be under practicing registered land surveyor) and successful completion of Bd.'s written and oral examinations, (b) rightful possession of BA degree in surveying and satisfactory record of at least 2 years' progressive practical experience in land surveying (1 of which to be under supervision of practicing registered land engineer) and successful completion of Bd.'s written and oral examinations, or (c) satisfactory record of 6 years' progressive practical experience in land surveying (4 of which to be under supervision of practicing registered land surveyor) and successful completion of Bd.'s written and oral examination.

Bill provides for reexamination of unsuccessful applicants (upon charge of maximum fee of \$15 for each eight-hour examination), and for renewal of certificate (upon payment \$10 fee). Sets procedures for hearing and deciding malpractice and similar charges, and for imposing specified sanctions (reprimand, suspension, revocation of registration, probationary revocation, or prohibition of permission to take examination). Sets forth penalties for unauthorized practice of professional engineering or land surveying (minimum fine of \$100 or at least 3 months' imprisonment, or both). Permits practice of professional engineering or land surveying by corporations, partnerships or other business groups. Not applicable to practice of architecture, contracting, nonresident's practice of professional engineering or land surveying (under certain conditions), such practice by new resident of NC (under certain conditions), practice as employee or assistant to registered persons, practice by federal employees, internal engineering or research activities of certain corporations, or mechanics' or similar duties. Contains "grandfather" clause for persons currently registered as engineers or land surveyors; does not affect legal status of land surveys performed by engineers prior to effective date of bill. Provides for additional certification of land surveyors for subdivision work. Defines terms used in bill. Sets forth further educational requirements of engineering applicants.

HOUSE

H 865 (Joint Resolution) "260" insurance plan MISC RES, GS 20, 58
Introducers: Kincaid and others Sent to INSUR

"Directing the adoption of '260' Classification Plan of insurance." Directs Comm'r of Insurance to work with industry to put "260" Classification Plan for automobile insurance rates into effect, the purpose being more equitable distribution of rates for good male drivers under 25 and the distinction of rates depending on the performance capability of the car.

H 866 (House Resolution) Agnew golf invite, warning MISC RES
Introducer: Auman Failed second reading

"Inviting the Vice President of the United States to play golf in Moore County." Content is identical with that of S 545, digested in the Senate section of today's Bulletin.

H 867 (Joint Resolution) Ramp-State Vegetable (Iden. S 547) MISC RES, GS 145
Introducers: Messer and L. Ramsey Sent to WATER

"Designating the ramp as the official North Carolina State Vegetable and the week of May 9th as 'Ramp Week'." Identical with S 547, digested in the Senate section of today's Bulletin.

H 868 Vet. scholarship acc adj'ment GS 165
Introducers: DeBruhl and Beam Sent to MILITARY

"To provide a more equitable procedure in the administration of scholarships for the children of war veterans and for the adjustment of scholarship accounts of veterans' children who withdraw from educational institutions by reason of illness or other reasons before the completion of a semester or term." Adds new GS 165-22.1 granting Dep't of Veterans Affairs powers to adjust scholarships as indicated by title, adjustment procedures to include, but not be limited to, paying the scholarship recipient the dollar value of his unused entitlements for the academic period being attended, with a corresponding deduction of this period from his remaining scholarship eligibility time.

H 869 Poultry prod. approp.

Introducers: Baker and others

APPROPRIATION

Sent to APPROPN

"To appropriate funds to North Carolina State University Poultry Science and Food Science departments to improve the efficiency of poultry production, processing, and marketing." Appropriates \$206,000 to NC State for next biennium for cited purposes; appropriation to be divided as follows: (1) \$20,000 to Poultry Science Dep't in fiscal 1971-72 and \$20,000 in fiscal 1972-73 for poultry disease research support; (2) \$45,000 to Poultry Science Dep't in fiscal 1971-72 and \$45,000 in fiscal 1972-73 for broiler production systems; (3) \$38,000 to Food Science Dep't in fiscal 1971-72 and \$38,000 in fiscal 1972-73 for poultry product-quality control. Effective July 1, 1971.

H 870 Home health agencies

Introducer: Eagles

GS 130

Sent to HEALTH

"To provide for the State Board of Health to license home health agencies which would not otherwise be regulated so as to permit home health agencies to be certified for participation in the Federal Health Insurance Program." Defines "home health services" as medical services or supplies provided an individual in his home or by some special hospital or nursing home out-patient arrangement. Provides for annual licensing of home health agencies by State Board of Health following inspection of agency to determine whether it meets standards developed by the Board, and lists specific areas of agency operation which must be covered by these standards. Permits Board to adopt regulations providing for decisions as to granting, denying or revoking licenses by an administrative employee of the Board. Requires Board to adopt regulations governing hearings for license denial or revocation, gives right of appeal from hearing decision to the Superior Court of Wake County.

H 871 Auto litter bags

Introducers: Collins and S. Johnson

GS 20

Sent to HY SAFTY

"To require motor vehicles sold after January 1, 1972, to have litter containers." Adds new GS 20-136.2 as title indicates, containers to be at least one-half gallon in volume and to be in both front and rear passenger areas.

H 872 Divorce trial on affidavit

Introducer: Martin

GS 50

Sent to JUDIC 1

"To amend G.S. 50-10 so as to permit trial of certain divorce actions upon affidavit." Adds new sentence to GS 50-10 providing that in divorce action where jury trial has not been demanded, the judge may waive taking of evidence and proceed to answer issues and render judgment if he finds that the complaint was verified and that sworn affidavits of plaintiff and one other person support complaint allegations.

H 873 Service on nonresident motorists-2

Introducer: Short

GS 1

Sent to COURTS

"To amend Chapter 1 of the General Statutes by reinstating Section 1-105 pertaining to service of process upon nonresident motorists as it appeared prior to its repeal January 1, 1970." Identical with H 853, digested in Bulletin No. 80, p. 648, except that this bill does not reenact GS 1-105.1 which makes GS 1-105 applicable to resident of State who establishes residence elsewhere subsequent to accident or who departs State for 60 days or longer subsequent to accident. Differs also in that this bill is effective on ratification (H 853 effective July 1, 1971).

H 874 Provisional licensee-accident
Introducer: M. Smith

GS 20
Sent to JUDIC 2

"To amend G.S. 20-13.1 relating to provisional lincensees to require 60 day revocation for accident resulting in property damage exceeding two hundred dollars (\$200.00) rather than one hundred dollars (\$100.00)." As title indicates, changes damage amount that will cause 60-day revocation of provisional driving license.

H 875 Drivers-2 convictions over 55 mph
Introducer: Warlick

GS 20
Sent to HY SAFTY

"To amend G.S. 20-16(a)(9) pertaining to revocation of driver's license for two convictions of over 55 miles per hour in a 12 month period." Rewrites GS 20-16(a)(9) making no substantive changes.

H 876 (Joint Resolution) Exec. Reorg. Amend.-higher ed. CONSTITUTION
Introducer: Andrews

Sent to RULES

"Expressing the sense of the General Assembly of North Carolina with respect to the proper interpretation of the Executive Reorganization Amendment proposed by Session Laws of 1969, Chapter 932." Expresses sense of Gen'l Assembly that cited Amendment was not meant to apply to public institutions of higher education and that Gov. was not thereby granted authority to make changes in allocation of offices, agencies, functions, powers and duties with respect to those institutions.

H 878 Falls Reserv.Proj, C&D-US
Introducers: S. Johnson, Twiggs, R. Farmer
and Wynne

GS 113
Sent to APPROPN

"To authorize the Department of Conservation and Development to enter into an agreement with the United States for participation in the Falls Reservoir Project." Authorizes Dep't of C&D to enter into written contract with US for administering lands and waters of Falls Reservoir of Neuse River project for recreation. Authorizes Dep't to pay half of separable costs of project allocated to recreational purpose and other costs of operation, maintenance and replacement that may be incurred for project. Conditions agreement under bill upon future appropriations by General Assembly. Appropriates from General Fund to Dep't for purposes of bill \$2,449,000 for half share of land acquisition and initial development costs under terms of agreement with US.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 877 Bail bondsmen
Introducer: Green

BLADEN
Sent to LOC GOVT

"To make Chapter 85A of the General Statutes relating to bail bondsmen and runners, applicable to Bladen County." As title indicates.

H 879 Madison challenge day
Introducer: Webster

ROCKINGHAM
Sent to LOC GOVT

"Changing the date of challenge day in the Town of Madison." Changes date of challenge day in Madison to Saturday preceding the day of election (now, second Saturday preceding day of election).

H 880 Durham Housing Authority
Introducers: Miller and Whichard

DURHAM, GS 157
Sent to LOC GOVT

"To amend Sections 4, 5, 8, and 27, Chapter 157, General Statutes of North Carolina relating to appointment and removal of commissioners of a public housing authority; making same applicable only to the Housing Authority of the City of Durham and the City Council of the City of Durham." Amends GS 157-4 so that city council, instead of mayor, will appoint members of housing authority. Increases number of members of housing authority from 5 to 7; new members to serve staggered terms and, after expiration of terms, all members to serve 5-year terms. Provides for removal of members of housing authority by city council, instead of mayor. Requires authority to file reports with city council, instead of mayor. Applicable only to Durham City Housing Authority and Durham City Council. Effective July 1, 1971.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

- S 96 Environmental bill of rights (digested in Bulletin No. 15, p. 97)
Committee Substitute adopted in Senate 5/5/71 amends wording of statement of NC's policy for protection of natural resources. Refers to the State of NC and its political subdivisions (was to General Assembly) as entities which properly should control air, water and noise pollution and acquire land by purchase or gift for dedication to public park, recreational and scenic area purposes and for inclusion in the "State Nature and Historic Preserve."
- S 356 Deer hunting-Bertie & N'hampton (digested in Bulletin No. 57, p. 409)
Technical amendment adopted in Senate 5/5/71.
- S 433 Elections, primaries voting hours (digested in Bulletin No. 66, p. 505)
Amendment adopted in Senate 5/5/71 changes effective date from ratification to Oct. 1, 1971.

HOUSE BILLS

- H 283 Narcotic drugs-vehicle code (digested in Bulletin No. 30, p. 205)

Committee substitute adopted in House 5/5/71 rewrites original bill. Makes it unlawful for person under influence of alcohol or drugs to drive or operate (original bill provided "drive or be in actual physical possession") on any highway or public vehicular area in NC (original bill provided "any vehicle within this State" without specifying where within NC). Conforms GS 20-16 to that effect. Makes it unlawful for persons under influence of any narcotic or other drug to such degree that physical or mental faculties are appreciably impaired to drive or operate motor vehicle on highways or public vehicular areas in NC (new provision). Adds to GS 20-16.2(c) and (d) provision that covers driving upon highways or "public vehicular" areas (now, covers only driving on highways). Adds new definition of "public vehicular area" to GS 20.16-2. Deletes proposed rewrite of GS 20-17.1(c) and (d) relating to duty of persons in charge of certain health institutions to report to Comm'r of Motor Vehicles concerning persons hospitalized

therein. Conforms GS 20-19(d) and (e), 20-23.2, 20-139.1(a), 20-139.1(f) as to language about "operating" motor vehicle while under influence. Adds new subsection GS 20-19(h) defining "under influence of impairing drug." Changes presumptions in GS 20-139(2) so that weight of alcohol in blood shall be based on grams (instead of milligrams) of alcohol per 100 cubic centimeters of blood. Retitles GS 20-179. In all other respects, carries forward provisions of original bill.

H 498 Corporate stamps or seals (original bill digested in Bulletin No. 51, p. 364; committee substitute digested in Bulletin No. 72, p. 573)

Amendment to committee substitute adopted in Senate 5/5/71 deletes present sec. 1 of committee substitute (defines "seal"), validates corporate documents stamped with legible corporate stamp which is facsimile of its seal, in lieu of imprinted or embossed corporate seal, and provides bill not applicable to pending litigation.

H 534 Alimony defenses (digested in Bulletin No. 54, p. 390)

Amendment adopted in House 5/5/71 makes technical changes.

H 776 Removal of graves (bill digested in Bulletin No. 72, p. 568)

Amendments adopted in House 5/5/71 make clarifying changes and provide that bill does not confer rights of eminent domain on any persons (listed by bill) entitled to cause removal of graves.

H 829 License revocation, 90 mph (digested in Bulletin No. 78, p. 629)

Amendment adopted in House 5/5/71 to provide fleeing of law enforcement officer to avoid apprehension must be willfully done.



SENATE AND HOUSE

CALENDAR ACTION

MAY 05, 1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- #S. 57 STOPPING ON HIGHWAYS.(4/29, 4/29) RATIFIED CH. 294.
S. 63 RETIREMENT OF JUDGES-CONST.. S-PLACED ON CAL FOR MAY 11.
S. 64 RETIREMENT OF JUDGES-STAT.. S-PLACED ON CAL FOR MAY 11.
#S. 67 PUBLIC SCHOOL MERGER-COUNTIES. H-REPTD UNFAV.
S. 89 FIREMEN'S PENSION AFTER 20 YEARS. H-POSTPONED TO MAY 6.
S. 94 CLERK SUPERIOR COURT, GS2.(4/21) H-REPTD FAV AS AMENDED.
S. 96 ENVIRONMENTAL BILL OF RIGHTS.(5/05) S-REPTD FAV COM
SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
S. 115 DRIVERS-CONVICTION OUTSIDE STATE. S-REPTD FAV AS AMENDED.
S. 131 RAPID GROWTH-SMALL WATER SYSTEMS.(3/24, 3/30, 4/02, 4/30,
4/30) S-REC TO CONCUR H AMENDS; S-PLACED ON CAL FOR MAY 6.
S. 151 REVENUE NOTES-HIGHER EDUCATION. S-PASSED 2ND READING.
#S. 178 FLAG DESECRATION.(4/15, 4/30, 4/30, 4/30) RATIFIED CH. 295.
#S. 206 BOAT LIFESAVING DEVICE.(4/15, 4/30) RATIFIED CH. 296.
S. 230 GASOLINE ADVERTISING.(3/30, 5/03) S-REC TO CONCUR IN H AMEND;
S-CONCURRED IN H AMEND.
S. 255 CONTINUING BAIL BONDS.(4/13) H-REPTD FAV AS AMENDED.
#S. 276 RURAL FIRE DISTRICTS EXCLUSIONS.(5/03) RATIFIED CH. 297.
S. 289 REGULATING KERR LAKE USE. S-REPTD FAV.
S. 301 CITIZENSHIP RESTORATION. H-REC FROM SENATE; H-REF TO COM ON
JUDIC 2.
S. 317 WORKMEN'S COMPENSATION-DISEASES.(4/27) H-REC FROM SENATE;
H-REF TO COM ON MFR LABR.
S. 356 DEER HUNTING-BERTIE & N'HAMPTON.(5/05) S-COM AMEND ADOPTED;
S-PLACED ON CAL FOR MAY 11.
S. 380 LOCAL RETIREM'T SYSTEM ADMIN. H-PASSED 2ND & 3RD READING.
S. 381 INCREASED LOCAL RETIREM'T BENEFITS. H-PASSED 2ND & 3RD
READING.
S. 385 STATE-OWNED VEHICLE-TAGS.(5/04, 5/04) H-REC FROM SENATE; H-REF
TO COM ON ROADS.
S. 424 JUDICIAL DEPARTMENT CHANGES.(4/23, 5/04) S-REC TO CONCUR IN
H AMEND; S-PLACED ON CAL FOR MAY 6.
S. 433 ELECTIONS, PRIMARIES VOTING HOURS.(5/05) S-COM AMEND ADOPTED;
S-PASSED 2ND & 3RD READING.
S. 444 PRICE LIMIT-STATE AUTOS. H-REPTD FAV.
S. 446 UNIFORM CRIME REPORTING SYSTEM. S-RE-REF COM ON JUDIC 2.
S. 462 FACULTY OPTIONAL RETIREMENT. H-REPTD FAV.
S. 469 SAVINGS & LOANS-MATURITIES. S-REPTD FAV.
S. 470 VETS' CHILDREN SCHOLARSHIPS. H-REPTD FAV.

- S. 481 MANUFACTURE OF BEDDING. H-REC FROM SENATE; H-REF TO COM ON HEALTH.
- S. 484 ARCHIVES AND HISTORY-LAW REWRITE. S-REPTD FAV AS AMENDED.
- S. 486 REFORMATORIES-LAW REWRITE. H-REC FROM SENATE; H-REF TO COM ON CORRECTN.
- S. 497 HIGHER ED.-BONDS, ASSISTANCE. S-PLACED ON CAL FOR MAY 6.
- S. 499 (J.RES.) MOTOR VEHICLE STUDY COMM'N. S-REPTD FAV AS AMENDED.
- S. 512 JUVENILE CORRECTION, WORK PAY. S-PASSED 2ND & 3RD READING.
- S. 513 JUVENILE CORRECTION BD. FUNDS. S-RE-REF COM ON APPROPN.
- S. 545 (S.RES.) AGNEW GOLF INVITE, WARNING. S-PASSED 2ND & 3RD READING.
- S. 546 (J.RES.) MEMORIALIZING BRAY. S-PASSED 2ND & 3RD READING.

- H. 24 RIGHT-OF-WAY, RESCUE SQUADS. (3/04) S-REPTD FAV AS AMENDED.
- #H. 49 ANNUAL LEGISLATIVE SESSIONS-2. H-REPTD UNFAV.
- H. 52 NAVIGABLE WATERS GRANTS. (4/14) S-REPTD FAV.
- H. 102 HOUSING AUTHORITY BOUNDARIES. (5/04) S-PLACED ON CAL FOR MAY 6.
- #H. 131 CIVIL PROCEDURE REVISION. H-REPTD UNFAV.
- #H. 132 CLERK SUPERIOR COURT, GS 2. H-REPTD UNFAV.
- #H. 193 INTANGIBLES EXEMPTION, OVER 65. H-REPTD UNFAV.
- H. 283 NARCOTIC DRUGS-VEHICLE CODE. (4/20, 5/05) H-REPTD FAV COM SUB #2; H-COM SUB #2 ADOPTED.
- #H. 372 TECHNICAL CHANGES-COURTS. H-REPTD UNFAV.
- H. 388 AUTO PLATES-SEPARATED SPOUSE. H-REPTD FAV AS AMENDED.
- #H. 423 FRANCHISE, INTANGIBLES TAX CERTIF.. RATIFIED CH. 298.
- H. 466 REGIONAL JAIL OPERATIONS. (4/05, 5/04) S-PASSED 3RD READING.
- H. 473 FILING STATE AGENCY REGULATIONS. H-REPTD FAV AS AMENDED.
- H. 498 CORPORATE STAMPS FOR SEALS. (4/22, 5/05) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- H. 501 (H.RES.) RATIFYING 19TH AMENDMENT. S-PASSED 2ND & 3RD READING.
- H. 510 (J.RES.) STUDY COMM'N-12 MO. SCHOOL YEAR. H-REPTD FAV AS AMENDED.
- H. 524 TAX-SHELTERED ANNUITIES-3. H-PASSED 2ND READING.
- #H. 534 ALIMONY DEFENSES. (5/05) H-COM AMEND ADOPTED; H-TABLED.
- H. 545 COSMETIC ART EXAMINERS-SALARY. S-REPTD FAV.
- H. 570 COUNTY SOC. SERV. BD. MEMBERS. S-REPTD FAV AS AMENDED.
- #H. 714 JUDICIAL DEPARTMENT CHANGES. H-REPTD UNFAV.
- H. 754 FACULTY OPTIONAL RETIREMENT. H-REPTD FAV.
- #H. 760 EXEMPT JURORS OVER 65. H-REPTD UNFAV.
- H. 773 WORKMEN'S COMP. APPEALS EXPENSE. (4/29) H-PASSED 3RD READING.
- H. 776 REMOVAL OF GRAVES. (5/05) H-COM AMENDS ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 805 NONRESIDENT STOCK TRANSFERS. H-REPTD FAV.
- H. 824 EXEMPT JURORS OVER 70. H-REPTD FAV.
- H. 829 LICENSE REVOCATION-90 MPH. (5/05) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- #H. 838 EXEMPT LEGISLATORS AS JURORS. H-REPTD UNFAV.
- #H. 866 (H.RES.) AGNEW GOLF INVITE, WARNING. H-FAILED 2ND READING.

LOCAL BILLS

- S. 403 (AVERY) PRIMARY ELECTIONS. H-REC FROM SENATE; H-REF TO COM ON ELECTION.
- S. 468 (ONSLOW) GARBAGE FACILITIES. S-PASSED 3RD READING.
- S. 471 (BRUNSWICK) YAUPON BEACH ABC STORES. S-PASSED 2ND & 3RD READING.
- S. 478 (ASHE) JEFFERSON ABC STORES. S-PASSED 2ND & 3RD READING.
- S. 491 (POLK) TRYON CHARTER. S-PASSED 3RD READING.
- S. 507 (GUILFORD) CONDEMNATION PROCEDURES. S-PASSED 3RD READING.
- S. 508 (COLUMBUS) WHITEVILLE COLD BEER. S-PASSED 2ND & 3RD READING.
- S. 527 (CARTERET, ONSLOW) WHITE OAK RIVER BRIDGE FISHING. S-REPTD FAV.
-
- #H. 526 (GUILFORD) EMINENT DOMAIN BROADENED. RATIFIED CH. 299.
- #H. 589 (VANCE) AMBULANCE BILLS.(4/23) RATIFIED CH. 300.
- H. 590 (FRANKLIN) YOUNGSVILLE ABC ELECTION. S-PASSED 2ND & 3RD READING.
- #H. 601 (DAVIE) MOCKSVILLE POLICE JURISDICTION-1 MI. RATIFIED CH. 301.
- H. 602 (IREDELL) STATESVILLE-IREDELL CIVIC CENTER. S-PASSED 3RD READING.
- #H. 612 (MECKLENBURG) PRIVATE USE OF PUBLIC VEHICLES. RATIFIED CH. 302.
- #H. 621 (GASTON) LICENSING BAIL BONDSMEN.(4/23) RATIFIED CH. 303.
- H. 622 (IREDELL) STATESVILLE,MOORESVILLE POLICE.(5/04) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- H. 641 (MECKLENBURG) MINT HILL ABC PROFITS. S-PASSED 2ND & 3RD READING.
- #H. 642 (STANLY) COUNTY HOME-SALE.(4/16) RATIFIED CH. 304.
- H. 643 (ROCKINGHAM) FIVE GALLON LIQUOR-MADISON. S-PASSED 2ND & 3RD READING.
- #H. 657 (NEW HANOVER) SCHOOL TEACHER PENSIONS. RATIFIED CH. 305.
- #H. 659 (CRAVEN) NUMBERED SEATS IN ELECTIONS.(4/23) RATIFIED CH. 306.
- #H. 664 (POLK) SALUDA PROPERTY EXCHANGE. RATIFIED CH. 307.
- #H. 667 (COLUMBUS) WHITEVILLE FIREMEN RETIREMENT FUND. RATIFIED CH. 308.
- #H. 669 (CUMBERLAND) AIR RIFLES RESTRICTED. RATIFIED CH. 309.
- H. 671 (WILKES) NORTH WILKESBORO ANNEXATION. S-PASSED 3RD READING.
- H. 675 (ORANGE) TAX LISTING. S-PASSED 3RD READING.
- #H. 702 (BRUNSWICK) OCEAN ISLE ABC PROFITS. RATIFIED CH. 310.
- #H. 703 (BRUNSWICK) LONG BEACH ABC PROFITS. RATIFIED CH. 311.
- H. 716 (ROBESON) MUNICIPAL ABC PROFITS. H-PASSED 2ND & 3RD READING.
- #H. 719 (LINCOLN) CHAMBER OF COMMERCE DUES. RATIFIED CH. 312.
- #H. 724 (NEW HANOVER) COUNTY COMM'RS FILL JOBS.(4/23) RATIFIED CH. 313.
- #H. 725 (NEW HANOVER) COUNTY COMM'RS APPOINT AUDITOR. RATIFIED CH. 314.
- #H. 726 (NEW HANOVER) COUNTY MOSQUITO CONTROL PROGRAM. RATIFIED CH. 315.

#H. 729 (JOHNSTON) BAIL BONDSMEN & RUNNERS. RATIFIED CH. 316.
#H. 731 (WILSON) BOARD OF EDUCATION ELECTION. RATIFIED CH. 317.
H. 732 (PERQUIMANS) WINFALL CHARTER REVISION.(5/04) S-PASSED 3RD
READING.
#H. 734 (MECKLENBURG) CHARLOTTE SYMPHONY FUNDS. RATIFIED CH. 318.
H. 741 (RUTHERFORD) COUNTY AIRPORT AUTHORITY. S-PASSED 3RD READING.
H. 851 (CHATHAM) BD. OF ED.-PER DIEM. H-REPTD FAV.

Next Sessions of Senate and House: 12 noon, Thursday, May 6, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

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BULLETIN NO. 82

-673-

THURSDAY, MAY 6, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 551 Clarifying Ch. 218, SL 1971
Introducer: Larkins

GS 143
Sent to MENTAL H

"To amend Chapter 218 of the Session Laws of 1971 for the purpose of clarifying the effect and intent of said chapter." Adds new sentence to cited chapter (Mental care-parents' liability) declaring intent of act is to merely limit existing liability of parents for charges for treatment, care and maintenance of child at Dep't Mental Health facilities either before or after ratification of act. Effective Apr. 21, 1971 (same date as Ch 218). (Ch. 218 originated as S 117; for digest of original S 117 and its amendment see Bulletin No. 20, p. 129, and Bulletin No. 69, p. 538.)

S 552 Nonpayment insur. advances
Introducer: Alley

GS 20, 58
Sent to INSUR

"To amend G.S. 20-279.34 relating to the powers of the Commissioner of Insurance in connection with assigned risk plans." Amends cited section to authorize Comm'r of Insurance to revoke or cancel assigned risk insurance policy if holder fails to pay amount owed any person, firm or corporation who has advanced premiums in accordance with GS Ch. 58, Art. 4 (now, can be revoked or cancelled only if holder does not pay premium or has license suspended by DMV).

S 553 (Joint Resolution) Honoring returning vets
Introducer: McGeachy

MISC RES
Passed three readings
and sent to House

"Honoring all returning veterans." As title indicates commends veterans and urges that jobs and educational opportunities be made available for them.

S 554 Physicians' ass'ts registration
Introducers: Kirby and others

GS 90
Sent to PUB HLTH

"To make an exception to the Medical Practice Act relating to assistants to physicians." Adds new subdivision (14) to GS 90-18 to provide that any act, task or function of assistant to licensed physician does not come within definition of medical practice for which license is required when (a) assistant is approved and annually registered with Bd of Medical Examiners, except no more than two assistants may be currently registered to any physician, (b) act, task or function is performed at direction or under supervision of physician in accord with Bd rules, (c) assistant does not engage in practice of dentistry or optometry, and (d) assistant's services are limited to his field of training. Provides that exception for registered assistants does not limit or prevent any physician from delegating to qualified person any acts, tasks or functions otherwise permitted by law or established by custom. Authorizes



Bd to require reasonable fee for initial and annual registration.

S 556 UNC-W Bio-med lab funds
Introducers: Warren and Burney

APPROPRIATION, GS 116
Sent to APPROPN

"To appropriate funds for the bio-medical laboratory at the University of North Carolina at Wilmington." Appropriates from General Fund \$143,640 for fiscal 1971-72 and \$140,329 for fiscal 1972-73 to UNC-W for operation of Wrightsville Marine Bio-Medical Laboratory, which has been offered to the university.

S 557 Pharmacist general license
Introducer: Henley

GS 90
Sent to JUDIC 2

"To prescribe the requirements for the licensing of pharmacists." Amends GS 90-61 (concerning requirements for licensing as a pharmacist) to reduce required practical experience from four years to a term set by Board of Pharmacy not to exceed one year. Also deletes provisions concerning out-of-state pharmacists with 15 years' experience in NC and other persons with 20 years' experience filling prescriptions in drugstore, substituting a general provision that any person with two years' college training and 15 years' experience in NC drugstore filling prescriptions under supervision of licensed pharmacist may take the Board's examination. Effective July 1, 1971.

S 558 Pharmacist intern license
Introducer: Henley

GS 90
Sent to JUDIC 2

"To permit the Board of Pharmacy to issue pharmacist intern licenses." Adds new GS 90-61.1 providing for licensing of pharmacist interns by Bd. of Pharmacy, period of license not to exceed 2 years. To be licensed, applicant must: (1) be at least 20 years old, (2) be graduate of pharmacy school, (3) have had 3 months' experience under licensed pharmacist, and (4) pass examination given by Board. Licensed intern to have same practice privileges and responsibilities as assistant registered pharmacist, except he may not supervise an unlicensed person or manage a pharmacy. Effective July 1, 1971.

S 559 Pharmacists' temporary reciprocity
Introducer: Henley

GS 90
Sent to JUDIC 2

"To authorize the Board of Pharmacy to issue licenses without examination to persons licensed as pharmacists by boards of pharmacy of other states." Rewrites GS 90-64 to allow NC Bd. of Pharmacy to issue temporary or probationary license to practice pharmacy in NC for period of not less than 1 year, without exam, to person licensed in another state requiring competence similar to that required in NC. (Now, authorizes licensing by reciprocity without the probationary or temporary restriction.) Allows Bd. to issue regular license to applicant who has practiced for one year in NC as temporary or probationary pharmacist. Deletes requirement of application fee of \$25. Effective July 1, 1971.

S 560 Falls Reserv. Proj., C&D-US (Iden. H 878)
Introducers: Bailey and Coggins

GS 113, APPROPRIATION
Sent to CONS & DEV

"To authorize the Department of Conservation and Development to enter into an agreement with the United States for participation in the Falls Reservoir Project." Identical to H 878, digested in Bulletin No. 81, p. 665.

S 561 (Joint Resolution) Memorializing Heater
Introducers: Bailey and Coggins

MISC RES
Sent to RULES

"Honoring the life and memory of R. O. Heater." As title indicates.

S 562 Not on Sunday
Introducers: Harris and others

GS 103
Sent to JUDIC 1

"To amend Chapter 103 of the General Statutes, relating to acts to be done on Sundays." Makes it unlawful to engage in work, labor or the business of one's ordinary calling on Sunday, or to employ persons therefor, with exceptions including the following activities: operation of radio and tv stations, or movie theaters; distribution of books and papers; sale of fuels or parts for cars or boats or planes, or for refrigerating systems; transportation; public utilities; restaurants and caterers; grocery stores employing no more than three persons; funeral homes; sale of medicines or medical supplies; sale of cosmetics, personal hygiene articles, flowers, shrubs, tobaccos, soft drinks, ice cream, cameras and films, novelties, fish bait, or swimwear; agriculture; and manufacturing establishments which require uninterrupted operation. Prohibits sale of certain listed items, generally including household goods, clothing, office equipment, electronic equipment, yard tools, and vehicles. Makes first violation subject to fine of \$50 to \$250, and subsequent offenses subject to fine of \$100 to \$500, each separate sale counting as separate offense. Declares violation a public nuisance for which any State, county, or municipal law enforcement officer can obtain an injunction.

S 563 Rescue squad death benefits
Introducers: Milgrom and others

GS 118B
Sent to JUDIC 2

"To create a Rescue Squad Death Benefit Act." Adds new GS Ch. 118B establishing program under Industrial Comm'n to administer \$5,000 death benefit to widow, or dependent children, or dependent parents (as defined in Act) of rescue squad members killed while on official duty or who die as result of extreme exertions while on official duty. Benefits to be paid from Contingency and Emergency Fund and decision of Comm'n on award conclusive. Other death benefits received by eligible persons unaffected and death benefit not subject to state taxes. Act applicable to eligible dependants of members killed or dying on or after Jan. 1, 1971.

HOUSE

H 881 Shipwreck-salvage approp. (Iden. S 549)
Introducers: Roberson and others

APPROPRIATION
Sent to APPROPN

"To appropriate funds for the archaeological survey, excavation, and salvage of State-owned shipwrecks and other underwater archaeological sites." Identical with S 549, digested in Bulletin No. 81, p. 662.

H 882 Regulating UNC utilities (Iden. H 818)
Introducer: Andrews

GS 62, 116
Sent to PUB UTIL

"To make Chapter 62 of the General Statutes applicable to certain utilities operated by the University of North Carolina at Chapel Hill." Identical with H 818, digested in Bulletin No. 77, p. 619.

H 883 Tenant Security Deposit Act
Introducer: Long

GS 42
Sent to JUDIC 1

"To regulate tenant security deposits." Adds new Article 5 to GS Ch. 42 requiring landlord to hold any security deposits he receives from tenant in trust as property

of the tenant and not subject to claims against landlord. Requires landlord to deposit moneys in interest-bearing account within seven days of receipt and in tenant's county of residence, and to provide tenant with record of deposit if requested, providing that landlord can put more than one deposit in a single trust account. Requires landlord to return deposit and interest to tenant within 15 days of vacating of premises, or within that same time to notify tenant of amount withheld and reasons therefor, and return remainder. Prohibits successor trustee for deposit unless tenant consents or fails to disagree within seven days of notice by certified mail. Declares void any agreement contrary to act, including a tenant's waiver of rights, and allows attorney fees for tenant who brings action to recover deposit or interest. Makes violation of act misdemeanor, act being effective Jan. 1, 1972 and applicable to leases entered into after that date and existing leases amended after date.

H 884 Hospital insurance funds - SHP
Introducer: R. Jones

APPROPRIATION
Sent to APPROPRN

"To provide additional appropriations to the Department of Motor Vehicles for payment of hospitalization insurance for active members of State Highway Patrol."
As title indicates, appropriates \$55,000 for 1971-73 biennium from Highway Fund. Effective July 1, 1971.

H 885 Drunk drivers treated
Introducer: Kemp

GS 20
Sent to HY SAFETY

"To amend G.S. 20-17(2) and G.S. 20-179 pertaining to driving a motor vehicle under the influence of intoxicating liquor or narcotic drugs and the penalties therefor."
Rewrites GS 20-179(a) by changing penalty for driving while under influence so that, upon second conviction within 10-year period, punishment shall be combination of imprisonment for three days and fine of between \$200 and \$500, or imprisonment for between 90 days and 6 months, or both (now, \$200-\$500 fine or between 60 days and 60 months, or both). Also provides that upon third or subsequent conviction within 10 years defendant to be punished by imprisonment for 7 days plus \$500 fine, or up to six months' imprisonment. (Now minimum \$500 fine or imprisonment for up to two years or both.) Adds provision as to second offender that defendant be examined and evaluated by physician, psychiatrist or member of staff of local or regional mental health center; if doctor concludes defendant suffers from chronic alcoholism or drug addiction, court may suspend imposition of sentence if person agrees to voluntarily admit self to regional alcoholic rehabilitation in-patient facility supervised or operated by NC for period up to 45 days for care and treatment. Provides that no person so agreeing is required to pay any fine imposed by court if person satisfactorily completes course of treatment. Upon notification by hospital authorities that defendant failed to satisfactorily complete course of treatment, clerk of court to collect fine. Provides similar procedure for third offenders but period of hospitalization to be up to 60 days. Adds to GS 20-179(b)(1) provision that person convicted of driving under influence shall not be issued limited driving privilege until he enrolls in writing in driver improvement clinic operated by Dep't of Motor Vehicles; failure to complete clinic instruction satisfactorily causes mandatory withdrawal of limited driving permit.

H 886 Add'l seat of court, Halifax
Introducer: Josey

GS 7A
Sent to COURTS

"To establish an additional seat of court in Halifax County in Scotland Neck."
Amends GS 7A-133 as title indicates. Effective July 1, 1971.

H 888 Public school tenure system
Introducer: M. Smith

GS 115
Sent to EDUCATN

"To establish an orderly system of employment and dismissal of public school personnel." Rewrites GS 115-142 to provide tenure system for public school teachers and administrators below superintendant and ass't sup't and sets out procedures for dismissal. Requires each school board to vote at end of teacher's third year whether he or she is to be employed for next year; unfavorable vote gives person rights of probationary teacher; a vote in favor making the person a permanent teacher who is not subject to annual appointment and who can be dismissed for following reasons only: (1) inadequate performance, failure to fulfill duties, incapacity, or any reason which is grounds for revocation of certificate; (2) insubordination or failure to meet reasonable requirements of board; (3) immorality, conviction of felony or crime involving moral turpitude, or advocating violent overthrow of gov't; (4) justifiable decrease in number of available positions (in which case teacher must be placed on list of available teachers and be given priority by seniority. Prior felonies are only conduct over three years old which can be considered.

Requires sup't to keep file of signed complaints and commendations of each teacher, with teacher given notice before any item is added and being allowed to include denial or explanation in file; that file and regular evaluations as to which the teacher has been notified are to be considered in deciding adequacy of performance. Allows immediate suspension by resolution if reason is immorality, insubordination, neglect of duty, incapacity, conviction of felony, or advocacy of overthrow, and if suspension needed for best interest of system. In that case regular suspension procedure must be commenced within five days, that procedure requiring recommendation of dismissal or demotion by sup't, 20 days' written notice giving reasons, a review (if requested within 15 days of notice) by panel of Professional Review Committee with representation by counsel, written report and recommendations from panel to sup't, written notice of sup't's recommendation to board, private (or public if requested) hearing before board (if requested within certain time) with representation by counsel and right to call witnesses and present evidence, decision by board based only on evidence submitted at hearing. Allows appeal of board's decision to superior court, bd. to bear cost of transcript.

Creates Professional Review Committee consisting of 50 persons with public school experience for five years preceding appointment by Sup't of Public Instruction with advice of State Board of Education; appointment to be for three years (except for 20 initial appointees who will serve only one-year term, and 20 initial appointees who will serve only two years). Authorizes Sup't to train and set pay for members with maximum compensation of \$30 per day. Directs Sup't to appoint five member panel when review requested by teacher, with teacher and local sup't each allowed to designate five members of Committee who shall not sit on panel. Requires at least three members of panel to be classroom teachers; school system and teacher to split costs of panel. Provides that permanent teacher serving in administrative position for three years may not be transferred to non-administrative or lower paying position without consent except for same reasons for which permanent teacher can be dismissed. Defines probationary teacher as any teacher who is not permanent, and provides that such teacher cannot be dismissed during year except for reasons given for dismissal of permanent teacher. Allows refusal to renew contract of probationary teacher so long as cause is not arbitrary, capricious, discriminatory or for personal or political reasons. Prohibits resignation by teacher without board's consent except on 45 days' notice. Repeals GS 115-67 (suspension of principals and teachers

by sup't), GS 115-144 (resignation of supervisor, principal, or teacher), and GS 115-145 (removal of principals and teachers by school boards). Effective June 1, 1971. (For related less comprehensive bills see identical S22 and H 7, digested in Bulletin No. 1, p.

LOCAL BILLS INTRODUCED

SENATE

S 555 Amending SL 1971, Ch. 317
Introducer: Kirby

WILSON
Sent to RULES

"To amend Chapter 317 of the 1971 Session Laws to correct a typographical error."
Amends cited chapter to have Wilson Board of Education elections held "biennially" rather than "biannually". (Ch. 317 originated as H 731, digested in Bulletin No. 67, p. 519.)

HOUSE

H 887 Sparta ABC profits
Introducer: Collins

ALLEGHANY
Sent to LOC GOVT

"To amend Chapter 1012 of the 1961 Session Laws relating to the Sparta ABC profits."
Amends cited act to provide that before profits are distributed as required, \$5,000 shall be paid annually to the Alleghany County Recreation Comm'n.

H 889 Madison ABC profits
Introducers: McMichael and Webster

ROCKINGHAM
Sent to LOC GOVT

"To provide for the division of the ABC profits in the Town of Madison." Amends SL 1969, Ch. 832 to provide that for Madison, distributable ABC profits shall not have deducted therefrom the costs of law enforcement, that 5% of such profits shall go to Library Fund, 5% for local law enforcement, 35% to Madison to establish Madison Medical Facility, 25% to Rockingham County Comm'rs, and 25% to gov. body of Madison.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 43 Felony Firearm Act (Identical to H 66; digested in Bulletin No. 8, p. 47)
Committee Substitute adopted in Senate 5/6/71 prohibits person convicted of crime punishable by imprisonment for more than two years from possessing pistol, revolver, sawed-off shotgun (as defined in bill) or explosive (as defined in GS 14-50.1) (original bill made illegal possession of firearms, explosives not including pyrotechnics, burglary tools, deadly weapons used in commission of crime, or marijuana or similar drugs or narcotics not prescribed by licensed physician). Substitute adds provision that person whose citizenship restored shall thereafter be exempt from Act.

S 94 Clerk Superior Court, GS 2 (digested in Bulletin No. 15, p. 96)
Amendment adopted in House 5/6/71 provides that amount of moneys or insurance that can be paid to clerk of superior court on behalf of minors or incapacitated adults shall not exceed \$2,000 (original bill, maximum \$5,000).

S 255 Continuing bail bonds (digested in Bulletin No. 41, p. 293)
Amendment adopted in House 5/6/71 makes a technical change and makes judgment of superior court final within meaning of bill, whether or not an appeal is taken therefrom. (Originally, not final if appeal taken.)

S 265 Welfare grant revisions (digested in Bulletin No. 42, p. 302)

Committee Substitute adopted in Senate 5/6/71 deletes repealer of GS 108-42(c) from original bill and rewrites said section to provide that notice of action ordered by bd. of comm'rs of county shall be given to recipient of welfare grant reviewed by them, with copy to county bd. of social services (instead of to director of social services) and to NC Comm'r of Social Services (instead of to NC Dep't of Social Services). Committee substitute adds provision to said section providing that any modification made by comm'rs shall be subject to review by NC Comm'r of Social Services (original bill contained no power for review of such decision). Substitute deletes original amendment of GS 108-44 which would have eliminated applicants optional appeal to county comm'rs.

S 497 Higher ed.-bonds, assistance (digested in Bulletin No. 75, p. 599)

Amendment adopted in Senate 5/6/71 provides Act shall not apply to scholarhsips for children of war veterans as set forth in GS Ch. 165, Art 4.

HOUSE BILLS

H 388 Auto plates-separate spouse (digested in Bulletin No. 40, p. 285)

Amendments adopted in House 5/6/71 make technical change and add provision that, as condition precedent to registration of vehicle, separated spouse furnish Dep't of Motor Vehicles with affidavit of self and two others testifying to separation.

H 421 Custodial child support (digested in Bulletin No. 42, p. 304)

Committee Substitute adopted in House 5/6/71 generally changes language of bill, deletes provision referring to placement of child in custody of institution other than county dept of social services, deletes provision for holding parents in contempt when they fail to pay expenses of child, and provides that when child placed in custody of county dept of social services parents will pay expenses if able, otherwise county will pay.

H 473 Filing State agency regulations (digested in Bulletin No. 47, p. 339)

Amendments adopted in House 5/6/71 make technical change and add to items excepted from definition of "regulation" rules, procedures, standards and specifications adopted or promulgated by NC Dep't of Administration for management of State Government (amendment adds language about rules adopted by Dep't of Admin).

HJR 510 Study Comm'n-12 Mo. School Year (digested in Bulletin No. 52, p. 374)

Amendment adopted in House 5/6/71 provides that study comm'n shall include in its study schools with grades kindergarten thru grade 12 (original bill limited study to "high schools") and that expenses of comm'n shall be paid from Contingency and Emergency Fund (original bill carried \$30,000 appropriation for comm'n).



- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 43 FELONY FIREARM ACT.(5/06) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
 S. 89 FIREMEN'S PENSION AFTER 20 YEARS. H-PASSED 2ND & 3RD READING.
 S. 94 CLERK SUPERIOR COURT, GS2.(4/21, 5/06) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
 S. 96 ENVIRONMENTAL BILL OF RIGHTS.(5/05) S-PLACED ON CAL FOR MAY 12.
 S. 151 REVENUE NOTES-HIGHER EDUCATION. S-PASSED 3RD READING.
 #S. 173 BANKS 5-DAY WEEK.(3/11) RATIFIED CH. 319.
 #S. 222 UNC/REG. UNIV. BDS.-STUDENTS.(4/20) RATIFIED CH. 320.
 #S. 230 GASOLINE ADVERTISING.(3/30, 5/03) RATIFIED CH. 324.
 S. 255 CONTINUING BAIL BONDS.(4/13, 5/06) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
 #S. 262 (J.RES.) WELCOMING THE ORIGINAL 13.(5/03) RATIFIED RES. 60.
 S. 265 WELFARE GRANT REVISIONS.(5/06) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
 #S. 281 WORKMEN'S COMP.-TOTAL DISABILITY. RATIFIED CH. 321.
 #S. 298 MUNICIPAL ANNEXATION. S-REPTD UNFAV.
 #S. 337 WORKMEN'S COMP.-EMPLOYEE DEATH-1. RATIFIED CH. 322.
 #S. 374 INCREASE BUILDING CODE COUNCIL. RATIFIED CH. 323.
 #S. 380 LOCAL RETIREM'T SYSTEM ADMIN. RATIFIED CH. 325.
 #S. 381 INCREASED LOCAL RETIREM'T BENEFITS. RATIFIED CH. 326.
 S. 433 ELECTIONS, PRIMARIES VOTING HOURS.(5/05) H-REC FROM SENATE; H-REF TO COM ON ELECTION.
 S. 444 PRICE LIMIT-STATE AUTOS. H-PASSED 2ND & 3RD READING.
 S. 462 FACULTY OPTIONAL RETIREMENT. H-PASSED 2ND & 3RD READING.
 S. 470 VETS' CHILDREN SCHOLARSHIPS. H-PASSED 2ND & 3RD READING.
 S. 481 MANUFACTURE OF BEDDING. H-REPTD FAV.
 S. 497 HIGHER ED.-BONDS, ASSISTANCE.(5/06) S-FLOOR AMEND ADOPTED; S-PASSED 2ND READING.
 S. 512 JUVENILE CORRECTION, WORK PAY. H-REC FROM SENATE; H-REF TO COM ON CORRECTN.
 S. 521 LOCAL OPTION ED. UNITS. S-REPTD FAV.
 S. 528 TAXATION OF BANKS-3. S-RECALLED FROM COM; S-RE-REF COM ON FINANCE.
 S. 533 COMM. COLLEGE, TECH. INST. SUPPORT. S-REPTD FAV.
 S. 546 (J.RES.) MEMORIALIZING BRAY. H-REC FROM SENATE; H-REF TO COM ON RULES.
 S. 553 (J.RES.) HONORING RETURNING VETS. S-PASSED 2ND & 3RD READING.

- H. 283 NARCOTIC DRUGS-VEHICLE CODE.(4/20, 5/05) H-POSTPONED TO MAY 7.
- H. 370 REALTY BROKERS-UNEMPLOYMENT INS..(4/21) H-REPTD FAV AS AMENDED.
- H. 388 AUTO PLATES-SEPARATED SPOUSE.(5/06) H-COM AMENDS ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 421 CUSTODIAL CHILD SUPPORT.(5/06) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 457 AID-TO-BLIND ADMINISTRATION. S-REPTD FAV.
- H. 458 AID-TO-BLIND, TECHNICAL CHANGES. S-REPTD FAV.
- H. 466 REGIONAL JAIL OPERATIONS.(4/05, 5/04) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- H. 473 FILING STATE AGENCY REGULATIONS.(5/06) H-COM AMENDS ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 498 CORPORATE STAMPS FOR SEALS.(4/22, 5/05) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- #H. 501 RATIFYING 19TH AMENDMENT. RATIFIED CH. 327.
- #H. 510 (J.RES.) STUDY COMM'N-12 MO. SCHOOL YEAR.(5/06) H-COM AMEND ADOPTED; H-FAILED 2ND READING.
- H. 524 TAX-SHELTERED ANNUITIES-3. H-POSTPONED TO MAY 7.
- H. 553 NARCOTISM REFERENCE IN CURRICULUM. S-REPTD FAV.
- H. 747 ASSAULT LAW REWRITE-2. H-REPTD FAV.
- #H. 754 FACULTY OPTIONAL RETIREMENT. H-POSTPONED INDEF.
- H. 773 WORKMEN'S COMP. APPEALS EXPENSE.(4/29) S-REC FROM HOUSE; S-REF TO COM ON MFG LABR.
- H. 774 REGULATING UNC CAMPUS ROADS. S-REPTD FAV.
- H. 783 FORESTRY AID-EXCLUDE XMAS TREES. H-REPTD FAV AS AMENDED.
- H. 785 MANUFACTURE OF BEDDING. H-REPTD FAV.
- H. 793 MEMBERS-HOUSING & REDEV. GROUP. S-REPTD FAV.
- H. 805 NONRESIDENT STOCK TRANSFERS. H-PASSED 2ND & 3RD READING.
- H. 824 EXEMPT JURORS OVER 70. H-PASSED 2ND & 3RD READING.
- H. 828 CORRECTING 1971 LAW. H-REPTD FAV.
- H. 830 NC PAYMENTS TO NURSING HOMES. H-REPTD FAV.
- H. 831 DECEDENTS' ASSISTANCE CHECKS. H-REPTD FAV.
- H. 832 PUBLIC ASSISTANCE-US PROGRAMS. H-REPTD FAV.
- H. 833 SOCIAL SECURITY CERTIFICATIONS. H-REPTD FAV.

LOCAL BILLS

- S. 442 (SURRY) SCHOOL BOND ELECTION. S-REPTD FAV.
- S. 468 (ONslow) GARBAGE FACILITIES. H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.
- S. 471 (BRUNSWICK) YAUPON BEACH ABC STORES. H-REC FROM SENATE; H-REF TO COM ON ABC.
- S. 477 (SURRY) ELKIN FIREMEN'S SUPP. BENEFIT.(5/04) H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.
- S. 478 (ASHE) JEFFERSON ABC STORES. H-REC FROM SENATE; H-REF TO COM ON ABC.
- S. 491 (POLK) TRYON CHARTER. H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.

- S. 507 (GUILFORD) CONDEMNATION PROCEDURES. H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.
- S. 508 (COLUMBUS) WHITEVILLE COLD BEER. H-REC FROM SENATE; H-REF TO COM ON ABC.
- S. 527 (CARTERET, ONSLOW) WHITE OAK RIVER BRIDGE FISHING. S-PASSED 2ND & 3RD READING.
- H. 261 (ORANGE) ORANGE BOARD OF EDUCATION. S-REPTD FAV.
- #H. 590 (FRANKLIN) YOUNGSVILLE ABC ELECTION. RATIFIED CH. 328.
- H. 594 (POLK) TRYON SCHOOL BD. APPOINTMENTS. S-REPTD FAV.
- #H. 602 (IREDELL) STATESVILLE-IREDELL CIVIC CENTER. RATIFIED CH. 329.
- #H. 622 (IREDELL) STATESVILLE, MOORESVILLE POLICE. (5/04) RATIFIED CH. 330.
- #H. 641 (MECKLENBURG) MINT HILL ABC PROFITS. RATIFIED CH. 331.
- #H. 643 (ROCKINGHAM) FIVE GALLON LIQUOR-MADISON. RATIFIED CH. 332.
- #H. 671 (WILKES) NORTH WILKESBORO ANNEXATION. RATIFIED CH. 333.
- #H. 675 (ORANGE) TAX LISTING. RATIFIED CH. 334.
- H. 716 (ROBESON) MUNICIPAL ABC PROFITS. S-REC FROM HOUSE; S-REF TO COM ON ABC.
- H. 732 (PERQUIMANS) WINFALL CHARTER REVISION. (5/04) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- #H. 741 (RUTHERFORD) COUNTY AIRPORT AUTHORITY. RATIFIED CH. 335.
- H. 762 (EDGEcombe) EDGEcombe ED. BD.. S-REPTD FAV.
- H. 769 (PITT) SCHOOL BOARD ELECTION. S-REPTD FAV.
- H. 825 (WAYNE) PIKEVILLE ELECTRIC UTILITY. H-REPTD FAV.
- #H. 850 (YADKIN) NO CATFISH LIMIT. H-REPTD UNFAV.
- H. 851 (CHATHAM) BD. OF ED.-PER DIEM. H-PASSED 2ND & 3RD READING.

Next Session of Senate: 9:45 a.m., Friday, May 7, 1971.
Next Session of House : 10:00 a.m., Friday, May 7, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

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BULLETIN NO. 83

-685-

FRIDAY, MAY 7, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 564 Physicians assistants-no optometry (Iden. H 891) GS 90
Introducer: Kirby Sent to PUB HLTH

"To amend G.S. 90-127 relating to optometry." Amends GS 90-127 (application of optometry license law) to provide that physicians' assistants approved pursuant to GS 90-18(14) are not authorized to practice optometry.

S 565 State self-insurer for vehicles GS 20, 58, 129
Introducer: Wood Sent to INSUR

"To abolish compulsory liability insurance for State-owned vehicles and to allow a self-insurance plan in lieu thereof." Repeals GS 58-194.1 and GS 129-5(9)(i), with the effect indicated by title, and provides that State shall be self-insurer for vehicular tort liability on and after July 1, 1971 within the meaning of GS 20-279.33 and GS 20-318. Funds appropriated to State dep'ts and agencies for purchase of liability insurance to be used to pay claims pursuant to State Tort Claims Act for liability arising from auto accidents. If additional funds are needed, application may be made to Director of Budget for further allocations from General Fund. Act not to affect compulsory liab.insurance of community colleges or other institutions pursuant to GS 115A-17 and GS 115-35. State self-insurance to be deemed direct primary insurance for State employees in the course of their duties.

S 566 (Joint Resolution) UNC trustees election GS 116
Introducer: Patterson Passed three readings

"Fixing the time and place for a joint session of the Senate and House of Representatives for the election of trustees for the Greater University of North Carolina." As title indicates, fixes date of May 20, 1971 at 12:30 p.m.

S 567 Morganton School for Deaf funds APPROPRIATION
Introducers: Bowles and others Sent to APPROPN

"To appropriate funds for completion of a chapel at the North Carolina School for the Deaf in Morganton." Appropriates \$30,000 for 1971-73 biennium for indicated purpose. Effective July 1, 1971.

S 568 Exempt training schools from costs GS 143
Introducers: Gudger and Larkins Sent to CORRECTN

"To amend G.S. 143-117 of the General Statutes exempting payment of costs in juvenile training schools." Deletes Stonewall Jackson Training School for Boys at



Concord, the Samarkand Manor, the East Carolina Training School at Rocky Mount, and the Morrison Training School for Negro Boys in Richmond County as institutions for which persons admitted are required by GS 143-117 to pay actual costs of care, treatment, training and maintenance.

HOUSE

H 890 Physicians' ass'ts registration (Iden. S 554) GS 90
Introducers: H. Rountree and others Sent to HEALTH

"To make an exception to the Medical Practice Act relating to assistants to physicians." Identical with S 554, digested in Bulletin No. 82, p. 673.

H 891 Physicians' assistants-no optometry (Iden. S 564) GS 90
Introducers: H. Rountree and others Sent to HEALTH

"To amend G.S. 90-127 relating to optometry." Identical with S 564, digested in the Senate section of today's Bulletin.

H 892 Defacing highway signs GS 136
Introducer: Collins Sent to ROADS

"To amend G.S. 136-33." Amends GS 136-33 to provide State Highway Comm'n may offer reward of \$200 for information leading to arrest and conviction of highway sign defacers, rewards to be paid from Comm'n funds.

H 893 Vocational education funds GS 115
Introducer: Payne Sent to EDUCATN

"To provide for vocational classes and projects in each school operated by a county or city board of education." Rewrites the first paragraph of GS 115-240 making language changes and deleting proviso that cost of any one vocational project may not exceed \$7,000 and that no more than one project may be undertaken in any one school year.

H 896 (Joint Resolution) Cheers for Cary MISC RES
Introducers: Wynne, Twiggs, R. Farmer, Passed three readings
and S. Johnson

"Commemorating the Centennial celebration of the Town of Cary." As title indicates.

H 897 Oyster lease rental refund GS 113
Introducer: Burrus Sent to COM FISH

"To authorize the Commissioner of the Division of Commercial and Sports Fisheries to refund the rental fee for oyster and clam leases where pollution has closed the leasehold to oystering and clamming." Adds new GS 113-202(q), providing as title indicates. Effective July 1, 1971.

H 900 Leg've approval-non-SPA salaries GS 143, 126
Introducers: Mohn and others Sent to APPROPN

"To require the Governor and Advisory Budget Commission to furnish to the General Assembly while in session an enumeration of certain non-State Personnel Act positions and their maximum proposed salaries." Adds new GS 143-34.2 requiring proposed

salaries for new positions or salary increases for state employees not subject to State Personnel Act and whose salaries are fixed by Governor and Advisory Budget Comm'n must be submitted to the General Assembly and approved thereby as part of a duly enacted appropriations act before they become effective. Listing of covered salaries for the 1971-73 biennium shall be filed by State Budget Officer with General Assembly no later than 10 days after ratification of act; for subsequent biennia, not later than 30 days after Assembly convenes. Provides that any proposed new salary for new position or increase for existing position to become effective only upon approval by Assembly as part of appropriations act.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 894 Identification bureau abolished CUMBERLAND
Introducers: G. Jernigan, High, Bryan,
and Raynor Sent to LOC GOVT

"To repeal Chapter 761 of the 1949 Session Laws which established the Cumberland County Bureau of Identification." As title indicates.

H 895 Control swine running at large NORTHAMPTON
Introducer: Martin Sent to AGRICULT

"Relating to the control of swine running at large in Northampton County." Makes it misdemeanor (\$25 to \$100 and/or 30 days to 60 days) to allow swine to run at large on another's land in Northampton County, any person with knowledge that swine are at large being required to report fact to sheriff within 24 hours, and any person on whose land swine are at large being required to also give written notice to owner of swine if known, or if owner not known, to post notice at courthouse. Makes it prima facie violation if swine found running at large. Authorizes land owner or possessor to kill and dispose of swine 48 hours after notice if owner of swine has not responded, the sheriff being required to be present and supervise killing if given 12 hours notice. Directs proceeds of disposal, less costs, to be deposited in county general fund. Makes each day swine are running at large a separate violation.

H 898 No bear hunting BEAUFORT, ONSLOW, WASHINGTON
Introducers: Burrus and Roberson Sent to WILDLIFE

"To prohibit the taking of bear in Beaufort, Onslow and Washington counties." Makes it misdemeanor (\$100 and/or 60 days) to take, trap, kill or attempt to take, trap, or kill bear at any time in those three counties (present GS 113-100 allows open season of Oct. 1 to Jan. 1 for bear). Effective July 1, 1971.

H 899 County garbage facilities WASHINGTON
Introducer: Roberson Sent to LOC GOVT

"Authorizing the county commissioners of Washington County to exercise the power of eminent domain to acquire land for disposal of garbage." Grants Washington County Board of Comm'rs power of eminent domain under GS Ch. 40 for purpose of establishing garbage disposal facilities outside cities and towns as authorized by GS 153-273, and for purpose of acquiring land to create a landfill for disposal of trash and other debris.

H 901 Robersonville town limits
Introducer: Everett

MARTIN
Sent to LOC GOVT

"To extend the corporate limits of the Town of Robersonville." Adds area described in act to Robersonville. Effective July 1, 1971, or upon ratification, whichever is later.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 115 Drivers-conviction outside State (digested in Bulletin No. 20, p. 129)

Amendments adopted in Senate 5/7/71 add to list of out-of-state offenses to which act is applicable: (1) exceeding a stated speed limit of 55 mph or more by more than 15 mph, and (2) hit and run, resulting in damage to property.

S 484 Archives and History-law rewrite (digested in Bulletin No. 74, p. 589)

Amendment adopted in Senate 5/7/71 removes restriction that only \$12,000 may be paid for any one portrait of a Governor.

S 499 (Joint Resolution) Motor vehicle study comm'n (digested in Bulletin No. 76, p. 609)

Amendment adopted in Senate 5/7/71 changes date for submission of report from Dec. 1, 1972 to Jan. 1973.

HOUSE BILLS

H 24 Right-of-way, rescue squads (digested in Bulletin No. 4, p. 21)

Committee Substitute adopted in House 3/4/71 provided drivers to take required action when emergency vehicle approached within 1,000 feet, made act inapplicable to drivers proceeding in opposite direction of emergency vehicles on a four-lane divided highway, and provided that violation of act not negligence per se. Amendments adopted in Senate 5/7/71 make technical change and changes prohibition on parking near emergency vehicle from within 200 feet thereof to 100 feet.

H 283 Narcotic drugs-vehicle code (digested in Bulletin No. 30, p. 205; Committee Substitute digested in Bulletin No. 81, p. 666)

Floor amendment adopted in House 5/7/71 to provide that if the arrested licensee requests hearing, he may require arresting officer to appear and be subject to cross examination.

H 421 Custodial child support (digested in Bulletin No. 42, p. 304; House Committee Substitute adopted 5/6/71 digested in Bulletin No. 82, p. 679)

Amendment adopted in House 5/7/71 provides that cost of care of child placed in custody of county dep't of social services shall be paid by county dep't, provided child is not receiving care in an institution "owned or operated by the State or Federal Government of any subdivision thereof" (originally, an institution "supported by public funds").

H 570 County soc. serv. bd. members (digested in Bulletin No. 58, p. 422; amendment adopted in House 4/19/71 digested in Bulletin No. 69, p. 538)

Amendment adopted in Senate 5/7/71 makes grammatical changes.

H 775 Process service, counterclaims (digested in Bulletin No. 72, p. 568)

Committee Substitute adopted in House 5/7/71 deletes provisions in original bill concerning what constitutes service of process for counterclaims and cross claims, and makes Rule 4 provisions for service applicable to counterclaims and cross claims. Changes effective date from ratification to Jan. 1, 1972.

H 783 Forestry aid-exclude Xmas trees (Iden. S 474, digested in Bulletin No. 72, p. 565)

Amendment adopted in House 5/7/71 to provide that Dep't of C&D may make available forestry and other services only upon execution by landowner of declaration of intent that such services not be used for ornamental trees or shrubbery or for Christmas trees (original bill prohibited such services for ornamental trees or shrubbery or for Christmas trees).

H 796 Discharge of lien by bond (digested in Bulletin No. 74, p. 592)

Committee Substitute adopted in House 5/7/71 requires bond to be in amount equal to one and one-quarter times the amount of the lien (originally, equal to amount of lien), and requires bond be conditioned on payment of amount "finally determined to be due in satisfaction of" lien (adds quoted language).

SENATE AND HOUSE

CALENDAR ACTION

MAY 07, 1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 43 FELONY FIREARM ACT.(5/06) S-PASSED 2ND & 3RD READING.
#S. 89 FIREMEN'S PENSION AFTER 20 YEARS. RATIFIED CH. 336.
S. 94 CLERK SUPERIOR COURT, GS2.(4/21, 5/06) S-REC FROM HOUSE;
S-PLACED ON CAL FOR MAY 10.
S. 115 DRIVERS-CONVICTION OUTSIDE STATE.(5/07) S-COM AMENDS ADOPTED;
S-PASSED 2ND & 3RD READING.
S. 131 RAPID GROWTH-SMALL WATER SYSTEMS.(3/24, 3/30, 4/02, 4/30,
4/30) S-CONCURRED IN H AMENDS.
S. 151 REVENUE NOTES-HIGHER EDUCATION. H-REC FROM SENATE; H-REF TO
COM ON HIGHR ED.
#S. 223 TAXING BANKS PERSONALTY. S-REPTD UNFAV.
S. 255 CONTINUING BAIL BONDS.(4/13, 5/06) S-REC TO CONCUR IN H
AMEND; S-CONCURRED IN H AMEND.
S. 265 WELFARE GRANT REVISIONS.(5/06) S-PLACED ON CAL FOR MAY 10.
S. 289 REGULATING KERR LAKE USE. S-PASSED 2ND & 3RD READING.
S. 293 ARCHAEOLOGICAL SALVAGE-HIGHWAYS.(4/01, 5/03) S-CONCURRED IN
H AMEND.
S. 358 UTILITIES COMM'N-PIPELINE SAFETY-1. S-REPTD FAV.
S. 359 UTILITIES COMM'N-ATTORNEYS-1. S-REPTD FAV.
S. 360 UTILITIES COMM'N-RATE POWER. S-REPTD FAV.
S. 362 UTILITIES COMM'N-MOTOR CARRIERS. S-REPTD FAV AS AMENDED.
S. 364 UTILITIES COMM'N-SERVICE HEARINGS. S-REPTD FAV AS AMENDED.
S. 369 UTILITIES COMM'N-EXEMPTION-1. S-REPTD FAV.
S. 424 JUDICIAL DEPARTMENT CHANGES.(4/23, 5/04) S-PLACED ON CAL FOR
MAY 11.
#S. 444 PRICE LIMIT-STATE AUTOS. RATIFIED CH. 337.
#S. 462 FACULTY OPTIONAL RETIREMENT. RATIFIED CH. 338.
S. 469 SAVINGS & LOANS-MATURITIES. S-PASSED 2ND & 3RD READING.
#S. 470 VETS' CHILDREN SCHOLARSHIPS. RATIFIED CH. 339.
S. 481 MANUFACTURE OF BEDDING. H-POSTPONED TO MAY 10.
S. 484 ARCHIVES AND HISTORY-LAW REWRITE.(5/07) S-COM AMEND ADOPTED;
S-PASSED 2ND & 3RD READING.
S. 488 PLANT PEST CONTROL. S-REPTD FAV.
S. 497 HIGHER ED.-BONDS, ASSISTANCE.(5/06) S-PASSED 3RD READING.
S. 499 (J.RES.) MOTOR VEHICLE STUDY COMM'N.(5/07) S-COM AMEND
ADOPTED; S-RE-REF COM ON APPROPN.
S. 521 LOCAL OPTION ED. UNITS. S-PASSED 2ND READING.
S. 533 COMM. COLLEGE, TECH. INST. SUPPORT. S-PASSED 2ND READING.

- S. 553 (J.RES.) HONORING RETURNING VETS. H-REC FROM SENATE; H-REF TO COM ON MILITARY.
- S. 561 (J.RES.) MEMORIALIZING HEATER. S-REPTD FAV.
- S. 566 (J.RES.) UNC TRUSTEES ELECTION. S-PASSED 2ND & 3RD READING.
- H. 24 RIGHT-OF-WAY, RESCUE SQUADS. (3/04, 5/07) S-COM AMENDS ADOPTED; S-PASSED 2ND & 3RD READING.
- H. 52 NAVIGABLE WATERS GRANTS. (4/14) S-PASSED 2ND & 3RD READING.
- H. 102 HOUSING AUTHORITY BOUNDARIES. (5/04) S-PLACED ON CAL FOR MAY 10.
- H. 259 DISABLED PERSONS-PARKING. (4/15) S-REPTD FAV AS AMENDED.
- H. 283 NARCOTIC DRUGS-VEHICLE CODE. (4/20, 5/05, 5/07) H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING.
- H. 370 REALTY BROKERS-UNEMPLOYMENT INS.. (4/21) H-CONCURRED IN S AMEND.
- H. 421 CUSTODIAL CHILD SUPPORT. (5/06, 5/07) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 455 EMPLOYING MINORS-PHYSICAL EXAM. S-PASSED 2ND READING.
- H. 457 AID-TO-BLIND ADMINISTRATION. S-PASSED 2ND & 3RD READING.
- H. 458 AID-TO-BLIND, TECHNICAL CHANGES. S-PASSED 2ND & 3RD READING.
- #H. 466 REGIONAL JAIL OPERATIONS. (4/05, 5/04) RATIFIED CH. 341.
- #H. 498 CORPORATE STAMPS FOR SEALS. (4/22, 5/05) RATIFIED CH. 340.
- H. 502 ENTICING SERVANT LAW REPEALED. S-PASSED 2ND & 3RD READING.
- H. 503 ENTICING SEAMEN LAW REPEALED. S-PASSED 2ND & 3RD READING.
- H. 504 SECRETING SEAMEN LAW REPEALED. S-PASSED 2ND & 3RD READING.
- H. 505 SEAMEN SEARCH WARRANTS REPEALED. S-PASSED 2ND & 3RD READING.
- H. 506 SEAMEN CASE APPEALS ABOLISHED. S-PASSED 2ND & 3RD READING.
- H. 524 TAX-SHELTERED ANNUITIES-3. H-PASSED 3RD READING.
- H. 545 COSMETIC ART EXAMINERS-SALARY. S-PASSED 2ND & 3RD READING.
- H. 553 NARCOTISM REFERENCE IN CURRICULUM. S-PASSED 2ND & 3RD READING.
- H. 570 COUNTY SOC. SERV. BD. MEMBERS. (5/07) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- H. 576 ARMED GANG OF DETECTIVES. S-PASSED 2ND & 3RD READING.
- H. 626 ABORTIONS RESIDENCY, MD REQUIREMENT. S-PLACED ON CAL FOR MAY 11.
- H. 733 JOB CERT. FOR MINORS BY DOCTORS. S-PASSED 2ND READING.
- H. 735 (J.RES.) STUDY COMM'N-ELECTION ABUSES. (4/23, 4/26) S-PASSED 2ND & 3RD READING.
- H. 747 ASSAULT LAW REWRITE-2. H-PASSED 2ND & 3RD READING.
- H. 774 REGULATING UNC CAMPUS ROADS. S-PASSED 2ND & 3RD READING.
- H. 775 PROCESS SERVICE, COUNTER-CLAIMS. (5/07) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 783 FORESTRY AID-EXCLUDE XMAS TREES. (5/07, 5/07) H-COM AMEND ADOPTED; H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING.
- H. 785 MANUFACTURE OF BEDDING. H-POSTPONED TO MAY 10.
- H. 793 MEMBERS-HOUSING & REDEV. GROUP. S-PASSED 2ND & 3RD READING.
- H. 796 DISCHARGE OF LIEN BY BOND. (5/07) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 805 NONRESIDENT STOCK TRANSFERS. S-REC FROM HOUSE; S-REF TO COM ON FINANCE.

- H. 824 EXEMPT JURORS OVER 70. S-REC FROM HOUSE; S-REF TO COM ON COURTS.
- H. 828 CORRECTING 1971 LAW, H-PASSED 2ND & 3RD READING.
- H. 829 LICENSE REVOCATION-90 MPH.(5/05) S-REC FROM HOUSE; S-REF TO COM ON HY SAFTY.
- H. 830 NC PAYMENTS TO NURSING HOMES. H-PASSED 2ND & 3RD READING.
- H. 831 DECEDENTS' ASSISTANCE CHECKS. H-PASSED 2ND READING.
- H. 832 PUBLIC ASSISTANCE-US PROGRAMS. H-PASSED 2ND READING.
- H. 833 SOCIAL SECURITY CERTIFICATIONS. H-PASSED 2ND & 3RD READING.
- H. 896 (J.RES.) CHEERS FOR CARY. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 341 (TRANSYLVANIA) SHERIFF'S DEP'T OPERATIONS. H-REPTD FAV.
- S. 392 (BUNCOMBE) DEED INDEX BOOKS. H-REPTD FAV.
- S. 425 (RICHMOND) SHERIFF SALARY. H-REPTD FAV.
- S. 442 (SURRY) SCHOOL BOND ELECTION. S-PLACED ON CAL FOR MAY 12.
- S. 448 (DAVIDSON) THOMASVILLE CITY LIMITS. H-REPTD FAV AS AMENDED.
- S. 527 (CARTERET, ONSLOW) WHITE OAK RIVER BRIDGE FISHING. H-REC FROM SENATE; H-REF TO COM ON WILDLIFE.
- S. 555 (WILSON) AMENDING SL 1971,CH. 317. S-REPTD FAV.

- H. 261 (ORANGE) ORANGE BOARD OF EDUCATION. S-PASSED 2ND & 3RD READING.
- H. 594 (POLK) TRYON SCHOOL BD. APPOINTMENTS. S-PASSED 2ND & 3RD READING.
- #H. 633 (FORSYTH) WINSTON-SALEM PARKING PENALTIES. H-REPTD UNFAV.
- #H. 668 (HAYWOOD) COUNTY MANAGER REFERENDUM. H-REPTD UNFAV.
- #H. 732 (PERQUIMANS) WINFALL CHARTER REVISION.(5/04) RATIFIED CH. 732.
- H. 762 (EDGEcombe) EDGEcombe ED. BD.. S-PASSED 2ND & 3RD READING.
- H. 768 (STOKES) WALNUT COVE LANDFILL. H-REPTD FAV.
- H. 769 (PITT) SCHOOL BOARD ELECTION. S-PASSED 2ND & 3RD READING.
- H. 806 (MECKLENBURG) SHERIFF'S FEES. H-REPTD FAV.
- H. 807 (MECKLENBURG) BD. EQUALIZING AND REVIEW. H-REPTD FAV AS AMENDED.
- H. 815 (CABARRUS) CEMETERY TRUST FUND. H-REPTD FAV.
- H. 821 (STANLY) CREATING AIRPORT AUTHORITY. H-REPTD FAV AS AMENDED.
- H. 822 (MECKLENBURG) CHARLOTTE CHARTER-LIEN INTEREST. H-REPTD FAV.
- H. 825 (WAYNE) PIKEVILLE ELECTRIC UTILITY. H-PASSED 2ND & 3RD READING.
- H. 851 (CHATHAM) BD. OF ED.-PER DIEM. S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.

Next Sessions of Senate and House: 10:00 a.m., Saturday, May 8, 1971,
for the consideration of local bills only; 8:00 p.m., Monday, May 10, 1971

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
P. O. BOX 7294, RALEIGH, N. C.
27611 TEL. (919) 755-3355
(919) 829-7677

BULLETIN NO. 84

-695-

MONDAY, MAY 10, 1971

Note: The Senate and House convened at 10:00 a.m. on Saturday, May 8, 1971, for consideration of local bills only. No bills were introduced and no calendar action was taken in either Chamber.

PUBLIC BILLS INTRODUCED

SENATE

S 569 Civil procedure changes
Introducer: Kirby

GS 1A
Sent to JUDIC 2

"To make certain amendments to the Rules of Civil Procedure." Adds to GS 1A-1, Rule 7(a) (Pleadings) provision that when an answer to a civil complaint alleges contributory negligence, a party may file a reply limited to alleging last clear chance. Amends GS 1A-1, Rule 4(j)(9) to authorize alternative method of service on foreign corporation which has no in-state agent authorized "by such corporation" to be served (now, reads authorized "by appointment or by law"). Amends GS 1A-1, Rule 17(c)(2) to provide that when an infant is defendant and service under Rule 4(j)(1)a (now, Rule 4(j)(1)a or Rule 4(j)(1)b) is made upon him the appointment of a guardian ad litem may be made upon written application as prescribed. Amends GS 1A-1, Rule 17(c)(3) as to appointment of guardian ad litem to delete requirement that such appointment can be made only after the filing of the affidavit required by Rule 4(j)(1)c.

S 570 NC Seed Law revisions (Iden. H 912)
Introducer: White

GS 106
Sent to AGRICULT

"Amending Article 31 of Chapter 106 of the General Statutes, the North Carolina Seed Law." Redefines "code designation" and "official certifying agency" and adds definitions of "blend" and "brand". Adds section requiring coloring of certain seeds treated with poisonous substances. Adds provisions requiring labels of agricultural seeds to show that "variety of seed not stated" if such is the case. Requires additional information to be given on labels on agricultural or vegetable seeds. Adds provision allowing NC Bd. of Agriculture to adopt regulations, after hearing and notice, concerning periods of times within which germination tests shall be made on seeds. Makes illegal transportation or sale of seeds by certain variety names or by brand names. Adds new section providing that farmer who believes he has been damaged by failure of seeds to produce or perform as represented by label may file complaint against seller of seed with Comm'r of Agriculture; gives seller opportunity to answer and request investigation by committee appointed by Comm'r of Agricult., consisting of 5 members, one each to be appointed on recommendation of Dir. of NC Agricult. Experiment Stations, Dir. of NC Agricult. Extension Service and Pres., NC Seedmen's Assn., and other 2 by Comm'r of Agricult. (one to be farmer not connected with sale of seeds). Sets forth powers of investigating committee (meet, investigate, subpoena and report to Comm'r). Effective Oct. 1, 1971.



S 571 Quail propagation and sale-2
Introducer: Burney

GS 113
Sent to WILDLIFE

"Relating to the propagation and sale of pen-raised quail to increase agricultural income in North Carolina." Adds new GS 113-105.2 to require Wildlife Comm'n by Oct. 1, 1971 to promulgate rules for possession, sale, and transportation of pen-raised quail for food purposes and to provide adequate safeguards against trapping of wild quail for market. Provides Executive Director of Comm'n to issue permits for sale of pen-raised quail, permits to be revocable for failure to comply with any Comm'n regulation. Makes violation of said regulations misdemeanor punishable by \$150 fine or 30 days imprisonment or both. Amends GS 113-105 to prohibit sale of wild quail (now, quail). (For similar bill, see H 360.)

S 572 Cause of action accrual (Iden. H 593)
Introducer: Strickland

GS 1
Sent to JUDIC 1

"To provide that a cause of action accrues when injury is or should have been known." Identical to H 593, digested in the House section of Bulletin No. 59, p. 435.

S 573 Probationary licenses-2 (Iden. H 909)
Introducers: Combs and Kirk

GS 20
Sent to HY SAFTY

"To amend G.S. 20-19 and 20-179 to provide for probationary driver's license in lieu of limited driving permit." Identical to H 909, digested in the House section of today's Bulletin.

S 574 Regulating UNC utilities (Iden. H 818, 882)
Introducer: Allen

GS 62
Sent to PUB UTIL

"To make Chapter 62 of the General Statutes applicable to certain utilities operated by the University of North Carolina at Chapel Hill." Identical to H 818, digested in the House section of Bulletin No. 77, p. 619, and H 882.

S 575 Extension UNC utilities (Iden. H 820)
Introducer: Allen and Currie

GS 116
Sent to PUB UTIL

"To authorize the extension and improvement of certain University Enterprises." Identical to H 820, digested in the House section of Bulletin No. 77, p. 619.

S 576 Bonds for UNC utilities (Iden. H 819)
Introducers: Allen and Currie

GS 116
Sent to PUB UTIL

"Amending Part 4 of Article 1 of Chapter 116 of the General Statutes relating to the issuance of revenue bonds for service and auxiliary facilities at the University of North Carolina at Chapel Hill." Identical to H 819, digested in the House section of Bulletin No. 77, p. 619).

S 577 Purchases gas adjustment clauses
Introducers: Gudger and Allen

GS 62
Sent to PUB UTIL

"To amend G.S. 62-133 to permit the North Carolina Utilities Commission to approve purchased gas adjustment clauses for natural gas utilities." Adds new GS 62-133(f) providing GS 62-133(b), (c), and (d) (required steps in fixing rates of public utilities) shall not apply to rate changes of utilities engaged in distribution of natural gas bought at wholesale by utility for distribution to consumers to extent such rate changes occasioned by changes in wholesale rate. Provides that

Utilities Comm'n may permit such rate changes to become effective simultaneously with effective date of change in wholesale cost of such natural gas, or at such other time as Comm'n directs, that act shall not prohibit Comm'n from investigating and changing unreasonable rates in accordance with GS Ch. 62, and that utility shall give such notice of rate changes to interested parties as Comm'n directs.

S 578 Ins. rate appeals to Ct. of Apps. (Iden. H 908) GS 58, 7A
Introducers: Norton and others Sent to INSUR

"To amend Article 2 of Subchapter I of Chapter 58 and Article 4 of Chapter 7A of the General Statutes of North Carolina to provide for appeal from insurance rate orders directly to the Court of Appeals." Identical to H 908, digested in the House section of today's Bulletin.

HOUSE

H 902 Affidavits of chemists GS 8
Introducer: Lilley Sent to JUDIC 2

"To provide for the admission into evidence of affidavits of chemists."
Adds GS 8-40.1, providing for admission in evidence in preliminary hearings involving violations of GS Ch. 90, Arts. 5 and 5A (narcotic drugs, barbiturate and stimulant drugs) of sworn affidavits of chemists, for purpose of presenting analysis of chemical composition of substances otherwise competent and relevant as evidence. Requires affidavit to set forth qualifications, prior training and employment of chemist.

H 903 Industrial Commission procedure GS 1A
Introducer: Arnold Sent to MFR LABR

"To extend the Rules of Civil Procedure to certain proceedings before the Industrial Commission." As title indicates amends GS 1A-1, Rule 1, making Rules of Civil Procedure applicable in tort actions brought before Industrial Commission.

H 904 Relocation assistance GS 136
Introducer: S. Johnson Sent to JUDIC 1

"To authorize the Department of Administration to provide relocation assistance to individuals, families and businesses displaced as a result of real property acquisitions on behalf of the State in the same manner prescribed for the State Highway Commission in Article 13, Chapter 136 of the General Statutes." Adds new GS 136-167 giving Dept. of Admin. same authority as given Highway Comm'n in Art. 13 in acquisition of realty for public use.

H 906 State Fair Board GS 106
Introducer: Green Sent to AGRICULT

"To create a Board to operate the State Fair." Rewrites GS 106-503 creating a nine-member State Fair Board to supervise the State Fair, fairgrounds, property and personnel. Directs Governor to appoint for staggered 4-yr. terms four members representative of agricultural interests and four representative of industrial interests, and Ag. Comm'r to serve ex officio. (Now Board of Agriculture supervises Fair.) Authorizes Board to make all decisions with respect to admission, rental and other fees charged at Fair, set dates of Fair, employ State Fair Manager, and publish not later than July 1, 1972 regulations pertaining to renting and operation of Fair space. Rewrites GS 106-503.1 to provide for Attorney General to be Board's counsel and approve its contracts; and to authorize Board to receive and administer gifts (section now authorizes borrowing for Fair facilities, contracting, leasing, and receipt of gifts, by Bd. of Agric.) Effective July 1, 1971.

H 908 Ins. rate appeals to Ct. of Apps. (Iden. S 578)
Introducers: Leatherman and Rhyne

GS 58, 7A
Sent to INSUR

"To amend Article 2 of Subchapter 1 of Chapter 58 and Article 4 of Chapter 7A of the General Statutes of North Carolina to provide for appeal from insurance rate orders directly to the Court of Appeals." Amends GS 58-9.3 to add orders or decisions of Insurance Comm'r finding premium rates or classifications not in public interest to those orders not subject to review in Wake Superior Court and to eliminate exception in subsection (e) from provision concerning stay of Comm'r's orders. Adds new GS 58-9.4 providing for appeal directly to NC Ct. of Appeals by aggrieved party on order or decision of Comm'r concerning premium rates on classes of risks; requires Comm'r's order to be based on findings of fact and, if applicable, on findings as to trends related to matters under investigation, and to include conclusions of law; gives presumption of correctness to Comm'r's orders if supported by "substantial evidence;" and provides Comm'r (represented by his general counsel) is deemed aggrieved party. Adds new GS 58-9.5 providing that appeals from rate decisions to Ct. of Appeals shall set forth specific grounds on which aggrieved party considers order to be unlawful, etc.; appeals to lie from all or any portion of Comm'r's orders; Comm'r, on motion of any aggrieved party or on own motion, may set exceptions to order appealed from for further hearing before Comm'r; sets forth procedures for filing and perfecting appeal for counter case, for method for parties to agree on "case on appeal" and for appointment of referee to settle case on appeal by Court on Comm'r's request in instances where parties cannot agree on case on appeal; sets out other procedural matters; appeal to operate as stay until dismissed or determined. Adds new GS 58-9.6 providing that, on appeal, Court to review record, exceptions, assignments of error, and alleged procedural irregularities (under rules of NC Ct. of Appeals); Court to decide issues of law, interpret constitutional and statutory provisions, determine meaning and applicability of terms of action of Comm'r, affirm or reverse Comm'r's order (declaring it null and void or remanding case for further proceedings), or reverse or modify decision if the substantial rights of appellants have been prejudiced because Comm'r's findings, inferences, conclusions or decisions violate NC Constitution, exceed statutory authority or jurisdiction, were made on unlawful proceedings, were affected by other errors of law, were unsupported by material and substantial evidence in view of entire record as submitted, or were arbitrary or capricious. Provides Court may compel action of Comm'r unlawfully withheld or unlawfully or unreasonably delayed; grants prima facie correctness to rates fixed by rule, regulation, finding, determination or order of Comm'r. Conforms GS Ch. 7A-29. Effective Jan. 1, 1972.

H 909 Probationary drivers' licenses-2 (Iden. S 573)
Introducers: Fulton and others

GS 20
Sent to HY SAFTY

"To amend G.S. 20-19 and 20-179 to provide for probationary driver's license in lieu of limited driving permit." Repeals GS 20-179(b) (standards and procedures in the issuance of limited driving permits). Adds new subsection to GS 20-19 providing when a license is revoked for first conviction for driving under influence of intoxicating liquor or narcotic drug, period of revocation shall be one year, provided Dep't of Motor Vehicles may after expiration of 60 days issue a probationary license upon such terms and conditions it sees fit to impose for balance of one year revocation period upon satisfactory proof that former licensee has been of good behavior for past 60 days, that his conduct and attitude are such as to entitle him to favorable consideration, and that his license is necessary for purposes reasonably connected with health, education and welfare of his family.

H 910 Apple research funds
Introducers: Falls and others

APPROPRIATION
Sent to APPROPRN

"Appropriating supplementary funds to the North Carolina Agricultural Experiment Station for research studies on improving the production, harvesting, and storing of apples in North Carolina." Appropriates from General Fund to NC Ag. Experiment Station \$13,600 during each year of 1971-73 biennium, and for ensuing years, for apple research. Effective July 1, 1971.

H 911 UNC Trustees election (Iden S 566)
Introducer: Andrews

GS 116
Sent to UNIV TR

"Fixing the time and place for a joint session of the Senate and House of Representatives for the election of Trustees for the Greater University of North Carolina." Identical with S 566 digested in Bulletin No. 83, p. 685.

H 912 NC Seed Law revisions (Iden. S 570)
Introducers: Chase and others

GS 106
Sent to AGRICULT

"Amending Article 31 of Chapter 106 of the General Statutes, the North Carolina Seed Law." Identical to S 570, digested in Senate section of today's Bulletin.

H 913 Nurse Practice Act fees
Introducer: Chase

GS 90
Sent to HEALTH

"To amend G.S. 90-161(b) by revising the schedule of fees in Nurse Practice Act." Amends schedule of fees listed in GS 90-161(b) to make all listed fees \$30 except for \$15 fees for renewal of license to practice as registered and practical nurses for a two period (now, fees range from \$5 to \$20). Effective July 1, 1971.

H 914 Increased Assistant Solicitors
Introducers: Short and others

GS 7A
Sent to COURTS

"To increase the number of Assistant Solicitors in certain judicial districts." Amends GS 7A-41 increasing number of full-time Assistant Solicitors by one in all judicial districts except 6, 13, 15, 16, 23, 24, 27, 29, and 30, and increases by two in districts 18 and 28. Effective July 1, 1971.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 905 Pinehurst police officers
Introducer: Auman

MOORE
Sent to LOC GOVT

"To amend Chapter 993, Session Laws of 1949, as amended by Chapter 732, Session Laws of 1951, Chapter 382, Session Laws of 1963, and Chapter 289, Session Laws of 1969, providing for substitution of police for constable, and providing that the provisions of Chapter 993 shall apply to Pinehurst, Incorporated or any corporate successor assignee." Substitutes terms "policeman" and "policemen" for "constable" and "constables", and term "chief of police" for "chief constable" in local acts providing for appointment of constables in Pinehurst, terms of office, etc. Provides for policemen's bond to be in same amount as that required of deputy sheriffs in Moore County but not to exceed \$1,000. Provides that section 5, Ch. 993, as amended

(relating to town's rights to NC-shared taxes), shall apply to Pinehurst, Inc., its successors and that all other provisions of Ch. 993 shall remain in effect, notwithstanding that Pinehurst, Inc. may be liquidated, dissolved or reorganized.

H 907 Eliada Homes children
Introducers: Stevens, Beam, DeBruhl, and Harkins BUNCOMBE
Sent to LOC GOVT

"To empower the Buncombe County Commissioners to provide funds for Eliada Homes, Inc." As title indicates authorizes Comm'rs to remit to Eliada Homes, Inc. amount from general funds for child support up to maximum \$20,000 per year.

H 915 Holly Springs charter changes
Introducers: S. Johnson, Twiggs, R. Farmer, and WAKE
Wynne Sent to LOC GOVT

"To amend the Charter of the Town of Holly Springs, North Carolina, with respect to procedures for the adoption of ordinances and concerning the duties of the Town attorney." Amends Ch. 110, 1951 SL, to provide (1) the enacting clause of all ordinances shall read "Be it ordained by the Board of Commissioners of the Town of Holly Springs" (now, "Be it ordained by the Town of Holly Springs") and (2) deletes requirement that Town attorney attend all meetings of board of commissioners.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 362 Utilities Comm'n-motor carriers (digested in Bulletin No. 57, p. 410)
Amendment adopted in Senate 5/10/71 makes bill applicable to vehicles in intrastate commerce (now only interstate) and to contract carriers (now only specifies common carriers and exempt carriers).

S 364 Utilities Comm'n-service hearings (original bill digested in Bulletin No. 57, p. 411)
Amendment adopted in Senate 5/10/71 rewrites GS 62-118 to provide that Utilities Comm'n is not required to hold hearing in order to authorize public utility to abandon or reduce services, and that it may do so on own motion and must do so on request of party having interest in services.

S 448 Thomasville city limits (Iden. H 743) (digested in Bulletin No. 69, p. 537)
Technical amendment adopted in House 5/10/71.

HOUSE BILLS

H 259 Disabled persons-parking (original bill digested in Bulletin No. 27, p. 181; Committee Substitute digested in Bulletin No. 67, p. 520; previous House amendment digested in Bulletin No. 69, p. 538)
Amendment adopted in Senate 5/10/71 changes Committee Substitute so that privilege of unlimited parking, granted to disabled persons, shall not apply during times in which stopping, parking or standing of all vehicles is prohibited or reserved for special types of vehicles; amendment also deletes proviso (added by previous House amendment) that privilege shall not apply in tow-away zones.

- H 283 Narcotic drugs-vehicle code (digested in Bulletin No. 30, p. 205; amendment adopted in House digested in Bulletin No. 83, p. 688)
Amendment adopted in House 5/10/71 (1) deletes sentence added by House amendment of 5/7/71, and (2) amends GS 20-16.2(d) to re-insert deleted provision with additional requirement that request by licensee for subpoena of witnesses be made at least three days prior to hearing.
- H 806 (Mecklenburg) Sheriff's fees (digested in Bulletin No. 76, p. 611)
Amendment adopted in House 5/10/71 makes bill applicable to Forsyth County in addition to Mecklenburg.
- H 807 Bd. Equaliz. and Review (digested in Bulletin No. 76, p. 611)
Technical amendment adopted in House 5/10/71.
- H 821 (Stanly) Creating airport authority (digested in Bulletin No. 77, p. 620)
Amendment adopted in House 5/10/71 deletes Sec. 16 authorizing County Comm'rs to appropriate funds from general tax fund for operation of airport authority.
- H 832 Public assistance-US programs (original bill digested in Bulletin No. 78, p. 630)
Amendment adopted in House 5/10/71 provides that bill shall expire on July 1, 1973.

SENATE AND HOUSE

CALENDAR ACTION

MAY 10, 1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 43 FELONY FIREARM ACT.(5/06) H-REC FROM SENATE; H-REF TO COM ON JUDIC 2.
S. 94 CLERK SUPERIOR COURT,GS2.(4/21, 5/06) S-CONCURRED IN H AMEND.
S. 115 DRIVERS-CONVICTION OUTSIDE STATE.(5/07) H-REC FROM SENATE; H-REF TO COM ON HY SAFTY.
#S. 131 RAPID GROWTH-SMALL WATER SYSTEMS.(3/24, 3/30, 4/02, 4/30, 4/30) RATIFIED CH. 343.
#S. 255 CONTINUING BAIL BONDS.(4/13, 5/06) RATIFIED CH. 344.
S. 265 WELFARE GRANT REVISIONS.(5/06) S-PASSED 2ND & 3RD READING.
S. 289 REGULATING KERR LAKE USE. H-REC FROM SENATE; H-REF TO COM ON CONS&DEV.
#S. 293 ARCHAEOLOGICAL SALVAGE-HIGHWAYS.(4/01, 5/03) RATIFIED CH. 345.
S. 324 TAX-SHELTERED ANNUITIES-2. S-REPTD FAV AS AMENDED.
S. 358 UTILITIES COMM'N-PIPELINE SAFETY-1. S-PASSED 2ND & 3RD READING.
S. 359 UTILITIES COMM'N-ATTORNEYS-1. S-PASSED 2ND & 3RD READING.
S. 360 UTILITIES COMM'N-RATE POWER. S-PASSED 2ND & 3RD READING.
S. 362 UTILITIES COMM'N-MOTOR CARRIERS.(5/10) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
S. 364 UTILITIES COMM'N-SERVICE HEARINGS.(5/10) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
S. 369 UTILITIES COMM'N-EXEMPTION-1. S-PASSED 2ND & 3RD READING.
S. 469 SAVINGS & LOANS-MATURITIES. H-REC FROM SENATE; H-REF TO COM ON BANKS.
S. 481 MANUFACTURE OF BEDDING. H-PASSED 2ND READING.
S. 484 ARCHIVES AND HISTORY-LAW REWRITE.(5/07) H-REC FROM SENATE; H-REF TO COM ON ST GOVT.
S. 488 PLANT PEST CONTROL. S-PASSED 2ND & 3RD READING.
S. 497 HIGHER ED.-BONDS,ASSISTANCE.(5/06) H-REC FROM SENATE; H-REF TO COM ON HIGHR ED.
S. 521 LOCAL OPTION ED. UNITS. S-PASSED 3RD READING.
S. 533 COMM. COLLEGE,TECH. INST. SUPPORT. S-PASSED 3RD READING.
S. 561 (J.RES.) MEMORIALIZING HEATER. S-PASSED 2ND & 3RD READING.
S. 566 (J.RES.) UNC TRUSTEES ELECTION. H-REC FROM SENATE; H-REF TO COM ON UNIV TR.

H. 24 RIGHT-OF-WAY,RESCUE SQUADS.(3/04, 5/07) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.

- #H. 52 NAVIGABLE WATERS GRANTS.(4/14) H-RATIFIED CH. 346.
- H. 102 HOUSING AUTHORITY BOUNDARIES.(5/04) S-PASSED 2ND READING.
- H. 259 DISABLED PERSONS-PARKING.(4/15, 5/10) S-COM AMEND ADOPTED;
S-PASSED 2ND & 3RD READING.
- H. 283 NARCOTIC DRUGS-VEHICLE CODE.(4/20, 5/05, 5/07, 5/10) H-FLOOR
AMEND ADOPTED. H-PASSED 3RD READING.
- H. 332 JOINT TENANCY IN STOCKS. H-REPTD FAV.
- H. 388 AUTO PLATES-SEPARATED SPOUSE.(5/06) S-REC FROM HOUSE; S-REF
TO COM ON HY SAFTY.
- H. 421 CUSTODIAL CHILD SUPPORT.(5/06, 5/07) S-REC FROM HOUSE; S-REF
TO COM ON POLICIES.
- H. 455 EMPLOYING MINORS-PHYSICAL EXAM. S-PASSED 3RD READING.
- #H. 457 AID-TO-BLIND ADMINISTRATION. RATIFIED CH. 348.
- #H. 458 AID-TO-BLIND, TECHNICAL CHANGES. RATIFIED CH. 349.
- H. 473 FILING STATE AGENCY REGULATIONS.(5/06) S-REC FROM HOUSE; S-REF
TO COM ON JUDIC 2.
- #H. 502 ENTICING SERVANT LAW REPEALED. RATIFIED CH. 350.
- #H. 503 ENTICING SEAMEN LAW REPEALED. RATIFIED CH. 351.
- #H. 504 SECRETING SEAMEN LAW REPEALED. RATIFIED CH. 352.
- #H. 505 SEAMEN SEARCH WARRANTS REPEALED. RATIFIED CH. 353.
- #H. 506 SEAMEN CASE APPEALS ABOLISHED. RATIFIED CH. 354.
- H. 524 TAX-SHELTERED ANNUITIES-3. S-REC FROM HOUSE; S-REF TO COM ON
INSUR.
- #H. 545 COSMETIC ART EXAMINERS-SALARY. RATIFIED CH. 355.
- #H. 553 NARCOTISM REFERENCE IN CURRICULUM. RATIFIED CH. 356.
- H. 570 COUNTY SOC. SERV. BD. MEMBERS.(5/07) H-REC TO CONCUR IN S
AMEND; H-CONCURRED IN S AMEND.
- #H. 576 ARMED GANG OF DETECTIVES. RATIFIED CH. 357.
- H. 733 JOB CERT. FOR MINORS BY DOCTORS. S-PASSED 3RD READING.
- #H. 735 (J.RES.) STUDY COMM'N-ELECTION ABUSES.(4/23, 4/26) RATIFIED
RES. 61.
- H. 747 ASSAULT LAW REWRITE-2. S-REC FROM HOUSE; S-REF TO COM ON
JUDIC 1.
- #H. 774 REGULATING UNC CAMPUS ROADS. RATIFIED CH. 361.
- H. 775 PROCESS SERVICE, COUNTER-CLAIMS.(5/07) H-POSTPONED TO MAY 11.
- H. 776 REMOVAL OF GRAVES.(5/05) S-REC FROM HOUSE; S-REF TO COM ON
JUDIC 1.
- H. 783 FORESTRY AID-EXCLUDE XMAS TREES.(5/07, 5/07) H-PASSED 3RD
READING.
- H. 789 CONDOMINIUM LAW DEFIN.. H-REPTD FAV.
- #H. 793 MEMBERS-HOUSING & REDEV. GROUP. RATIFIED CH. 362.
- H. 796 DISCHARGE OF LIEN BY BOND.(5/07) H-PASSED 2ND & 3RD READING.
- H. 828 CORRECTING 1971 LAW. S-REC FROM HOUSE; S-REF TO COM ON JUDIC
2.
- H. 830 NC PAYMENTS TO NURSING HOMES. S-REC FROM HOUSE; S-REF TO COM
ON RESOURCE.
- H. 831 DECEDENTS' ASSISTANCE CHECKS. H-PASSED 3RD READING.
- H. 832 PUBLIC ASSISTANCE-US PROGRAMS.(5/10) H-COM AMEND ADOPTED;
H-RE-REF COM ON ST GOVT.
- H. 833 SOCIAL SECURITY CERTIFICATIONS. S-REC FROM HOUSE; S-REF TO
COM ON INTERGOV.

#H. 896 (J.RES.) CHEERS FOR CARY. RATIFIED RES. 62.

LOCAL BILLS

- S. 341 (TRANSYLVANIA) SHERIFF'S DEP'T OPERATIONS. H-POSTPONED TO MAY 12.
- S. 392 (BUNCOMBE) DEED INDEX BOOKS. H-PASSED 2ND & 3RD READING.
- S. 425 (RICHMOND) SHERIFF SALARY. H-PASSED 2ND & 3RD READING.
- S. 448 (DAVIDSON) THOMASVILLE CITY LIMITS.(5/10) H-COM AMEND ADOPTED; H-PASSED 2ND READING.
- S. 555 (WILSON) AMENDING SL 1971,CH. 317. S-PASSED 2ND & 3RD READING.
- #H. 261 (ORANGE) ORANGE BOARD OF EDUCATION. RATIFIED CH. 347.
- #H. 594 (POLK) TRYON SCHOOL BD. APPOINTMENTS. RATIFIED CH. 358.
- #H. 762 (EDGEcombe) EDGEcombe ED. BD.. RATIFIED CH. 359.
- H. 768 (STOKES) WALNUT COVE LANDFILL. H-PASSED 2ND READING.
- #H. 769 (PITT) SCHOOL BOARD ELECTION. RATIFIED CH. 360.
- H. 806 (MECKLENBURG) SHERIFF'S FEES.(5/10) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 807 (MECKLENBURG) BD. EQUALIZING AND REVIEW.(5/10) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 815 (CABARRUS) CEMETERY TRUST FUND. H-PASSED 2ND & 3RD READING.
- H. 821 (STANLY) CREATING AIRPORT AUTHORITY.(5/10) H-COM AMEND ADOPTED; H-PASSED 2ND READING.
- H. 822 (MECKLENBURG) CHARLOTTE CHARTER-LIEN INTEREST. H-PASSED 2ND & 3RD READING.
- H. 825 (WAYNE) PIKEVILLE ELECTRIC UTILITY. S-REC FROM HOUSE; S-REF TO COM ON PUB UTIL.

Next Sessions of Senate and House: 12 noon, Tuesday, May 11, 1971.



DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 85

-707-

TUESDAY, MAY 11, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 579 Transfer of recorded sounds (Iden. H 928) GS 14
Introducers: Baugh and White Sent to MFG LABR

"To prohibit the transfer of recorded sounds for unlawful use without consent of owner." Identical with H 928, digested in the House section of today's Bulletin.

S 580 Bounty on drug traffickers APPROPRIATION
Introducers: Joyner and others Sent to PUB HLTH

"To establish a bounty program to be administered by the Attorney General to provide intelligence to combat traffic in narcotic drugs." Appropriates from the General Fund to the Attorney General \$100,000 for the 1971-3 biennium to establish a bounty system to pay tax exempt rewards to persons furnishing information after Sept. 1, 1971, to proper authorities leading to the arrest and conviction of anyone 16 years of age or older selling or supplying for sale in NC narcotic drugs. Amounts of awards to be in Attorney General's discretion, minimum to be \$200 and max. to be \$2,500. No reward to be paid to sheriff or other law enforcement officer. Names of informants not to be revealed without consent of informer or order of superior court.

S 581 Handlers of farm products GS 106
Introducer: White Sent to AGRICULT

"Amending Article 44 of Chapter 106 relating to unfair practices of handlers of farm products." Rewrites GS 106-496, -497, and -498, making language changes. Amends GS 106-496 to define "handler" as person or firm which enters into a written contract for purchase from or production by a producer of fruits and vegetables. Amends GS 106-497 to provide that to obtain permit handler must file request and 2 copies of any proposed contracts with Comm'r of Agriculture, with \$25 penalty for late filing; section not to apply to cash transactions (defined as transactions involving bank bills, checks and bank notes). Amends GS 106-498 to require handler to furnish bond to Comm'r of at least \$10,000 (now, not to exceed \$10,000), plus additional bond if Comm'r deems it necessary, conditioned on fulfillment of contracts with producers. Effective Sept. 1, 1971.

S 582 (Joint Resolution) Honoring Lenoir band MISC RES
Introducer: Flaherty Passed three readings
and sent to House

"Honoring the Lenoir High School Band." As title indicates.



S 583 Amending Non-profit Corp. Act
Introducers: Strickland and Kirby

GS 55A
Sent to JUDIC 1

"To amend Chapter 55A of the General Statutes relating to nonprofit corporations. Amends GS 55A-12 (procedure for changing corporation's registered office or agent) by adding additional method (new GS 55A-12(e)) when location changed from one address to another in same city or town; permits corporation's registered agent to file certificate stating new and old addresses and date of change in duplicate with Secretary of State who shall certify and return copy to registered agent who shall deliver to register of deeds in county where corporate office located. Adds new GS 55A-24.1 validating action taken by majority of directors or committee members without meeting if written consent to action signed by all directors or committee members is filed with minutes of board or committee. Validates action at meeting held without proper call or notice if director not in attendance and having knowledge of action does not promptly file written objection thereto with secretary of corporation. Authorizes meetings held by means of conference telephone or similar communications devices.

Adds new GS 55A-42.1 permitting merger or consolidation of one or more foreign corporations and one or more domestic corporations into new NC or other state's corporation if such consolidation permitted by laws of state under which each foreign corp. organized. Amends GS 55A-44(b) (voluntary dissolution) to permit corporation to follow same dissolution procedure upon expiration of any duration period limited by its charter, and adds new GS 55A-44.1 permitting corporation to amend charter to extend or perpetuate its period of existence. Stipulates expiration of charter does not itself create vested right in member or creditor to prevent charter amendment, and corporate acts or contracts during said period not invalidated by charter expiration. Amends GS 55A-48 to require Articles of Dissolution filed by corporation dissolved upon expiration of its charter contain statement to that effect. Adds new GS 55A-68.1 permitting foreign corporations to be served with process and subjected to jurisdiction of NC courts pursuant to Ch. 1 and Ch. 1A of Gen. Stats. Effective October 1, 1971.

S 584 Post office and bank at WCU
Introducers: Norton and others

APPROPRIATION
Sent to HIGHR ED

"To amend Chapter 755 of the 1969 Session Laws to provide for a self-liquidating post office and bank facility for Western Carolina University." As title indicates, deletes appropriation of \$335,000 for addition to Bird Adm'n Bldg. from Ch. 755 and substitutes \$760,000, less \$425,000 self-liquidating, for post office, bank and Adm'n Bldg.

S 585 Group life insur.-maximum limit
Introducers: Norton and others

GS 58
Sent to INSUR

"To amend G.S. 58-210 to increase the maximum limitation on group life insurance." As title indicates; changes maximum figures from \$50,000 to \$100,000.

S 586 Divorce violations
Introducer: Gudger

GS 50
Sent to JUDIC 2

"To validate divorces based on a complaint which complied with the requirements of the statute containing a typographical error." Validates all divorces granted between Jan. 1, 1969 and present as to the complaint being certified by the attorney rather than verified by the plaintiff (GS 50-8, due to typographical error, indicated that complaints for divorce should be certified rather than verified).

S 587 State Fair Board (Iden. H 906)
Introducers: Baugh and Allsbrook

GS 106
Sent to AGRICULT

"To create a Board to operate the State Fair." Identical with H 906, digested in Bulletin No. 84, p. 697.

S 588 Gas station attendants required
Introducers: Burney and others

GS 119
Sent to MFG LABR

"Requiring attendants for all gasoline dispensing devices operated in the State." Requires that all gasoline dispensing devices in the state, including preset or coin operated machines, have on duty at all times that such devices are open to the public an attendant who shall dispense the gas or supervise the dispensing. Authorizes Gasoline and Oil Inspection Board to adopt regulations for dispensing gas. Amends GS 119-26 to add to duties of Gasoline and Oil Inspection Bd that of adopting safety standards for the dispensing of petroleum products. Violation of act a misdemeanor punishable by maximum fine of \$50 or 30 days in jail or both. Effective July 1, 1971.

S 589 (Joint Resolution) Inviting Rep. Mills (Iden. H 931)
Introducer: Deane

MISC RES
Passed second and third readings and sent to House

"Inviting the Honorable Wilbur D. Mills, member of the United States Congress and Chairman of the House Ways and Means Committee, to address a joint session of the Senate and House of Representatives at 12:30 p.m., May 20, 1971." As title indicates.

S 590 Absentee voting in primary
Introducers: Bowles and Kirk

GS 163
Sent to ST POL

"To amend Chapter 163 of the General Statutes so as to permit absentee voting in state-wide primary election." Amends GS 163-226 by providing that absentee ballots may be issued for state-wide primary elections (now, only for state-wide general elections or county bond elections), and adds provision that any NC qualified voter who is qualified to vote by absentee ballot in state-wide general election is authorized to vote by absentee ballot in state-wide primary election.

HOUSE

H 916 Apply NC law to foreign insurers
Introducers: Lilley and others

GS 58
Sent to INSUR

"To repeal G.S. 58-54.25.1 to make all sales of annuity and insurance contracts in North Carolina subject to Article 3C of Chapter 58 of the General Statutes of North Carolina." As title indicates, repeals GS 58-54.25.1 which exempts certain nonprofit foreign insurance companies from provisions of GS 58-54.21 and -54.22. Effective July 1, 1971.

H 918 No unmarked Highway Patrol cars
Introducer: Foley

GS 20
Sent to HY SAFTY

"To amend G.S. 20-190 and G.S. 20-190.1 and to repeal G.S. 20-190.2 to prohibit the use of unmarked patrol cars by the State Highway Patrol." As title indicates; requires all vehicles provided by DMV for operation on NC highways by members of State Highway Patrol be painted a uniform color of black and silver (now, 79% must be so painted).

H 921 Enlarging city school adm. units
Introducer: Fenner

GS 115
Sent to EDUCATN

"To amend G.S. 115-77 to allow a majority of the property owners and taxpayers who reside in an area contiguous to a city administrative unit to petition for consolidation with the city administrative unit." As title indicates amends GS 115-77 to require that petition must be signed by a majority of landowners and a majority of taxpayers living on the real property (now, statute contains no mention of required number of signers).

H 922 Fisheries Division appropriation
Introducer: Soles

APPROPRIATION
Sent to APPROPN

"To provide additional appropriations to the Division of Commercial and Sports Fisheries for charting claims and leases to submerged lands in the State." As title indicates, appropriates from General Fund sum of \$41,000 for 1971-73 biennium. Effective July 1, 1971.

H 926 Barber law-penalty change
Introducer: Leatherman

GS 86
Sent to JUDIC 1

"To revise the statute regarding violation of the barbering laws." Amends GS 86-22 to provide that violations of barbering laws shall be punishable by fine of not less than \$50 (now, \$10) or more than \$500 (now, \$50) and that violations shall be cumulative and considered as separate acts.

H 927 Barber health certificates
Introducer: Leatherman

GS 86
Sent to JUDIC 1

"To allow tests on barbers by technicians and doctors." Amends GS 86-17(a)(19) to allow barbers to furnish certificates of health signed by doctors or lab technicians qualified to give such certificates and Wasserman tests (now, health certificates and Wasserman tests are required to be certified and given only by doctors).

H 928 Transfer of recorded sounds (Iden. S 579)
Introducer: Martin

GS 14
Sent to JUDIC 1

"To prohibit the transfer of recorded sounds for unlawful use without consent of owner." Adds new GS 14-165 making it unlawful to transfer to any article recorded sounds with intent to sell them or use them for profit without the consent of the owner of the master record, tape, film, disc or other master device, or to sell or cause to be sold any such copy with knowledge that the sounds have been unlawfully transferred. Act inapplicable to radio and TV broadcasters who transfer sounds for use in broadcast transmission or for archivistic purposes. Violation a misdemeanor punishable by maximum fine of \$10,000 or imprisonment for 2 years, or both.

H 929 Voting residence 90 days
Introducer: Taylor

CONSTITUTION
Sent to CONSTITUTN

"To amend the Constitution of North Carolina to reduce the residence period for voting to ninety days." Amends NC Constitution, Art. VI, Sec. 2(1) making residency requirement for voting 90 days (now, one year). Provides amendment to be submitted to voters at next general election.

H 931 (Joint Resolution) Inviting Rep. Mills
(Iden. S 589)
Introducer: Andrews

MISC RES
Passed three readings
and sent to Senate

"Inviting the Honorable Wilbur D. Mills, member of the United States Congress and Chairman of the House Ways and Means Committee, to address a joint session of the Senate and House of Representatives at 12:30 p.m., May 20, 1971." Identical with S 589, digested in Senate section of today's Bulletin.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 917 Extending ambulance crimes law
Introducer: Baker

DUPLIN, GS 14
Sent to LOC GOVT

"To provide penalties for the nonpayment of ambulance bills and for the making of false ambulance requests in Duplin County." As title indicates; extends provisions of GS 14-111.2 and -111.3 to Duplin.

H 919 Special assessments law-Durham
Introducers: Miller, Whichard and Royall

DURHAM
Sent to LOC GOVT

"To amend Chapter 224, Private Laws 1927, as amended by Chapter 924, Session Laws 1949, as amended, relating to special improvement assessments in the City of Durham." Grants to owner of property or street railway or railroad option of paying for special improvements in cash or in not less than 12 equal monthly installments or more than five equal annual installments, as determined by city council resolution ordering special improvements (adds provision for monthly payments).

H 920 Creedmoor mayor election
Introducer: Watkins

GRANVILLE
Passed three readings
and sent to Senate

"To provide for a special election for the Office of Mayor of the City of Creedmoor." Authorizes special election for mayor on Tuesday, May 25, 1971 to be held at Creedmoor City Hall, and authorizes Creedmoor Bd. of Comm'rs to appoint registrar and judges to supervise special election. Sets dates for registration books to be open and for challenge day.

H 923 Edenton charter referendum
Introducer: Culpepper

CHOWAN
Sent to LOC GOVT

"To authorize a referendum in the Town of Edenton on the question of amending Chapter 1013 of the Session Laws of 1961 to abolish the Town Board of Public Works." As title indicates, provides for cited referendum at the regular general election in May 1972, and sets forth the form of the ballot proposition. If a majority of the votes are in favor of abolishing the Bd., bill contains Town Charter amendments that will automatically become effective on the Monday following the regular Edenton Town election in 1973. The amendments: (1) delete charter provisions dealing with Bd. of Public Works; (2) transfer public works duties and responsibilities to Town Bd. of Councilmen; (3) prohibit sale or lease of any town utility system unless approved by majority of voters; (4) transfer Bd's. real and personal property to the Town; and (5) make Bd. members who were elected to 4 year terms in 1971 members of Board of Councilmen.

H 924 Albemarle college funding
Introducer: Culpepper

PASQUOTANK
Sent to LOC GOVT

"To authorize the Board of Commissioners of Pasquotank County to enter into a contract with Boards of Commissioners of other counties for the purpose of supporting the College of the Albemarle, an institution established pursuant to Chapter 115A of the General Statutes." As title indicates, authorizes above agreement. Requires it be approved by State Bd. or Educ., and provide for financial support for college, selection of its trustees, termination of contract, and other necessary provisions.

S 925 Hertford election law
Introducer: Culpepper

PERQUIMANS
Sent to LOC GOVT

"Regarding Hertford municipal elections." Amends Sec. 16, Ch. 586, 1965 SL, to provide for election of town commissioners by plurality (now, by majority).

H 930 Cornelius tax payment discount
Introducers: Vogler, Beatty, Campbell, Cobb,
Foley, Hicks and Lawing

MECKLENBURG
Sent to LOC GOVT

"To amend G.S. 105-345, fixing discounts for payment of taxes in the Town of Cornelius." Exempts Cornelius from certain portions of GS 105-345 and provides for discount of one percent for payment of town taxes before Dec. 31 following levy of taxes or for payment at par during January.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE

S 324 Tax-sheltered annuities-2 (digested in Bulletin No. 52, p. 371)
Amendment adopted in House 5/11/71 adds to income tax annuity exemption portion of amount contributed for employee who performs services for educational institution (as defined in GS 105-133(3)) by employer which is a state, a political subdivision of a state or agency, or instrumentality of any of the foregoing.

S 461 Loan transfer fee (digested in Bulletin No. 70, p. 546)

Committee Substitute adopted in Senate 5/11/71 amends GS 54-20 to provide directors of savings and loan ass'ns may charge person assuming loan of a member a fee in an amount approved by the Comm'r of Insur. not in excess of \$100 (original bill and present statute contain no fee provisions).

HOUSE

H 332 Joint tenancy in stocks (digested in Bulletin No. 34, p. 238)
Amendment adopted in House 5/11/71 specifies shares of stock or investment securities may be owned by any two or more of following persons: husband, wife, son and daughter as joint tenants with rights of survivorship (originally, bill permitted joint ownership by any two or more persons.)

H 626 Abortions residency requirement (digested in Bulletin No. 61, p. 456)
Amendment adopted in Senate 5/11/71 provides for reporting of abortions to NC Bd. of Health within 5 days after operation; for confidentiality of report; and for hospital administrator as person responsible for insuring report is submitted. Waives requirements of GS 130-43 ("Fetal death registration") for abortions as provided in GS 14-45.1.

SENATE AND HOUSE

CALENDAR ACTION

MAY 11, 1971

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4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 63 RETIREMENT OF JUDGES-CONST.. S-PLACED ON CAL FOR MAY 12.
S. 64 RETIREMENT OF JUDGES-STAT.. S-PLACED ON CAL FOR MAY 12.
#S. 94 CLERK SUPERIOR COURT, GS2.(4/21, 5/06) RATIFIED CH. 363.
S. 201 ASSAULT LAW REWRITE. S-REPTD FAV.
#S. 211 COMMUNICATIONS-SCRAMBLERS. S-REPTD UNFAV.
S. 212 DIVORCE COMPLAINTS.(3/10, 4/06) S-REPTD FAV AS AMENDED.
S. 251 LIMIT CAPITAL PUNISHMENT, MINORS. S-REPTD FAV AS AMENDED.
S. 265 WELFARE GRANT REVISIONS.(5/06) H-REC FROM SENATE; H-REF TO COM ON SOC SERV.
S. 269 SCHOLARSHIPS, POLICE DEPENDENTS. S-REPTD FAV.
S. 324 TAX-SHELTERED ANNUITIES-2.(5/11) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
S. 356 DEER HUNTING-BERTIE & N'HAMPTON.(5/05) S-PLACED ON CAL FOR MAY 12.
S. 358 UTILITIES COMM'N-PIPELINE SAFETY-1. H-REC FROM SENATE; H-REF TO COM ON PUB UTIL.
S. 359 UTILITIES COMM'N-ATTORNEYS-1. H-REC FROM SENATE; H-REF TO COM ON PUB UTIL.
S. 360 UTILITIES COMM'N-RATE POWER. H-REC FROM SENATE; H-REF TO COM ON PUB UTIL.
S. 369 UTILITIES COMM'N-EXEMPTION-1. H-REC FROM SENATE; H-REF TO COM ON PUB UTIL.
#S. 424 JUDICIAL DEPARTMENT CHANGES.(4/23, 5/04) S-FAILED CONCUR IN H AMEND; S-CONF COM APPOINTED.
S. 441 INSURER HOLDING REGISTRATION. S-REPTD FAV.
S. 453 CRIMINAL JUSTICE ACADEMY. S-REPTD FAV AS AMENDED; S-RE-REF COM ON CORRECTN.
S. 461 LOAN TRANSFER FEE.(5/11) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
S. 481 MANUFACTURE OF BEDDING. H-PASSED 3RD READING.
S. 487 PATROLEM'S EQUIPMENT-DISPOSITION. H-REPTD FAV.
S. 488 PLANT PEST CONTROL. H-REC FROM SENATE; H-REF TO COM ON AGRICULT.
S. 512 JUVENILE CORRECTION, WORK PAY. H-REPTD FAV.
S. 521 LOCAL OPTION ED. UNITS. H-REC FROM SENATE; H-REF TO COM ON EDUCATN.
S. 533 COMM. COLLEGE, TECH. INST. SUPPORT. H-REC FROM SENATE; H-REF TO COM ON EDUCATN.
S. 553 (J.RES.) HONORING RETURNING VETS. H-REPTD FAV.

- S. 561 (J.RES.) MEMORIALIZING HEATER. H-REC FROM SENATE; H-REF TO COM ON RULES.
- S. 568 EXEMPT TRAINING SCHOOLS FROM COSTS. S-REPTD FAV.
- S. 582 (J.RES.) HONORING LENOIR BAND. S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-REF TO COM ON RULES; H-RECALLED FROM COM; H-PASSED 2ND & 3RD READING.
- S. 589 (J.RES.) INVITING REP. MILLS. S-PASSED 2ND & 3RD READING.
- #H. 24 RIGHT-OF-WAY, RESCUE SQUADS. (3/04, 5/07) RATIFIED CH. 366.
- H. 95 EMINENT DOMAIN JURY TRIALS. S-REPTD FAV.
- H. 102 HOUSING AUTHORITY BOUNDARIES. (5/04) S-PASSED 3RD READING.
- H. 332 JOINT TENANCY IN STOCKS. (5/11) H-COM AMEND ADOPTED; H-PASSED 2ND READING.
- #H. 370 REALTY BROKERS-UNEMPLOYMENT INS.. (4/21) RATIFIED CH. 367.
- #H. 444 DRIVER IMPROVEMENT CLINIC. H-REPTD UNFAV.
- #H. 455 EMPLOYING MINORS-PHYSICAL EXAM. RATIFIED CH. 368.
- H. 566 INTER-AMERICAN AND ASIAN DEV. BANKS. S-REPTD FAV.
- #H. 570 COUNTY SOC. SERV. BD. MEMBERS. (5/07) RATIFIED CH. 369.
- #H. 606 FIREMEN'S PENSION FUND ELIGIBILITY. H-REPTD UNFAV.
- H. 626 ABORTIONS RESIDENCY, MD REQUIREMENT. (5/11) S-COM AMEND ADOPTED; S-FLOOR AMENDS FAILED; S-PASSED 2ND READING.
- H. 636 CHILD ADOPTION-MINOR STEPPARENT. S-REPTD FAV AS AMENDED.
- H. 715 (J.RES.) LRC MENTAL HOSPITALS STUDY. (4/23, 4/23) S-REPTD FAV.
- H. 727 NO LOITERING AT POLLS. (4/30) S-REPTD FAV AS AMENDED.
- #H. 733 JOB CERT. FOR MINORS BY DOCTORS. RATIFIED CH. 370.
- H. 740 REGISTERING GUNS, WEAPONS. H-REPTD FAV.
- H. 747 ASSAULT LAW REWRITE-2. S-REPTD FAV.
- H. 772 COUNTY ORDINANCE. H-REPTD FAV AS AMENDED.
- H. 775 PROCESS SERVICE, COUNTER-CLAIMS. (5/07) H-PASSED 2ND READING.
- #H. 785 MANUFACTURE OF BEDDING. H-POSTPONED INDEF.
- H. 789 CONDOMINIUM LAW DEFIN.. H-PASSED 2ND & 3RD READING.
- #H. 824 EXEMPT JURORS OVER 70. S-REPTD UNFAV.
- H. 826 DIVORCE-TRIAL WITHOUT JURY-2. H-REPTD FAV.
- H. 832 PUBLIC ASSISTANCE-US PROGRAMS. (5/10) H-RECALLED FROM COM; H-RE-REF COM ON JUDIC 2.
- H. 868 VET. SCHOLARSHIP ACC. ADJ'MENT. H-REPTD FAV.
- H. 874 PROVISIONAL LICENSEE-ACCIDENT. H-REPTD FAV.
- H. 897 OYSTER LEASE RENTAL REFUND. H-REPTD FAV.
- H. 931 (J.RES.) INVITING REP. MILLS. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 259 (CLEVELAND) KINGS MTN. FIELD HOUSE CONTRACT. H-REC TO CONCUR IN S AMEND.
- #S. 392 (BUNCOMBE) DEED INDEX BOOKS. RATIFIED CH. 364.
- #S. 425 (RICHMOND) SHERIFF SALARY. RATIFIED CH. 365.
- S. 448 (DAVIDSON) THOMASVILLE CITY LIMITS. (5/10) H-PASSED 3RD READING.
- S. 555 (WILSON) AMENDING SL 1971, CH. 317. H-REC FROM SENATE; H-REF TO COM ON RULES.

- H. 416 (CLEVELAND) KINGS MTN. FIELD HOUSE CONTRACT. H-PASSED 2ND READING.
- H. 716 (ROBESON) MUNICIPAL ABC PROFITS. S-REPTD FAV.
- H. 742 (BRUNSWICK) SHALLOTTE ABC PROFITS.(4/30) S-REPTD FAV.
- H. 768 (STOKES) WALNUT COVE LANDFILL. H-PASSED 3RD READING.
- H. 821 (STANLY) CREATING AIRPORT AUTHORITY.(5/10) H-PASSED 2ND READING.
- H. 920 (GRANVILLE) CREEDMOOR MAYOR ELECTION. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

Next Sessions of Senate and House: 12 noon, Wednesday, May 12, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 86

-717-

WEDNESDAY, MAY 12, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 591 Fining WCU traffic offenders
Introducer: Killian

GS 20, 116
Sent to HIGHER ED

"To authorize the Board of Trustees at Western Carolina University to impose charges or penalties for violations of traffic rules on the campus of said university." Adds new Sec. 3.1 to Ch. 853, 1969 SL authorizing trustees at Western Carolina University to impose specified charges for violations of traffic rules on campus and permitting trustees to delegate authority to appropriate committees or organizations.

S 592 Gas tax share, coastal resources
Introducer: Allen

APPROPRIATION, GS 105
Sent to CONS & DEV

"To provide the Division of Coastal Resources of the Department of Conservation and Development with partial net proceeds of gasoline taxes." Adds new GS 105-446.3 providing Dep't of C&D shall receive and earmark for Division of Coastal Resources, one-half of one percent of net proceeds of taxes on motor fuels levied under GS 105-434 to be paid in accordance with accounting periods set out in GS 105-446(1). Defines "net proceeds" as entire tax collected less one cent per gallon nonrebatable tax segregated in accordance with Ch. 1250, 1949 SL as amended. (GS 105-446.2 now authorizes 1/8 of 1% of proceeds to be allocated for Wildlife Resources Comm'n.)

S 593 (Joint Resolution) Asking Congress to end draft
Introducers: Joyner and Flaherty

MISC RES
Sent to VETERANS

"To the members of the United States Congress requesting that the military draft law be terminated." As title indicates.

S 594 Legislative fiscal research (Iden. H 936)
Introducers: Kirby and others

GS 120
Sent to RULES

"To strengthen the fiscal research resources of the General Assembly." Identical with H 936, digested in House section of today's Bulletin.

S 595 Technical corrections-Gen. Stats.
Introducer: Kirby

GS 1, 1A, 14, 40, 48, 55, 59,
66, 90, 93D, 105, 114, 150, 160,
162A, 164
Sent to JUDIC 2

"To make certain technical corrections in the General Statutes." Repeals several sections of GS Ch. 1 concerning service of process out-of-State (GS 1-98.1, -98.2, -98.3, -98.4, -99.1, -99.2, -99.3, and -99.4). Makes grammatical changes or corrects statutory



cross-references or changes name of agency to which reference is made in the following sections: GS 55-137(c)(2), 93D-6, 1-183.1, 160-166.10, 164-13, 90-113.13, 150-9, 59-19(e) 105-269.2, 48-7(b), 1-440.7(a)(2)a, 1-440.7(a)(2)b, and 90-220.11. Reenacts GS 160-141 prohibiting erection, alteration, repair, or moving within primary fire limits of any city or town of any frame or wooden building except with the approval of local inspection dep't approved by Comm'r of Insurance, and granting local governing body authority to adopt additional regulations on that subject (repeal of this section in 1969 was apparently an error). Revises GS 162A-4 by reinserting first paragraph as it reads in 1964 GS Replacement Volume 3D and by rearranging the other two paragraphs. Adds NC Board of Landscape Architects to list of agencies to which Ch. 150 (uniform revocation of licenses) applies. Amends GS 14-32 to define conduct prohibited by that section as assaulting with intent to kill and inflicting serious injury (current version could be read to make section apply if intent to inflict serious injury existed but no serious injury was actually inflicted). Deletes reference in GS 1-394 to service being "by the sheriff or by publication", leaving statement that service shall be in manner prescribed for summons in civil actions by Rule 4 of Rules of Civil Procedure. Deletes portion of GS 40-14 (service where parties unknown) concerning newspaper notices, substituting language stating that publication is to be in accordance with Rule 4(j)(9)c of Rules of Civil Procedure (now, publication required once a week for four weeks; Rule provides for publication once a week for three weeks; also changes paper in which notice to appear, changing from county where land is situated to county where action is pending).

S 596 Employment Security Law changes (Iden. H' 942)
Introducer: Rauch

GS 96
Sent to INVERGOV

"To amend Chapter 96, General Statutes of North Carolina, as amended, known as the Employment Security Law." Generally revises Employment Security Law (GS Ch. 96), making the following principal changes: (1) Permits combining of wage credits earned by employees in NC and one or more other states for payment of benefit claims. (2) Provides all money paid to NC by Federal Gov't under Extended Unemployment Compensation Act and reimbursement payment by employers in lieu of contributions shall be placed in the Unemployment Insurance Fund. (3) Allows withdrawals from Unemployment Insurance Fund to pay extended benefits. (4) Requires coverage on and after Jan. 1, 1972, if an employing unit has one or more employees in 20 weeks in current or preceding calendar year or employer has paid for service wages of \$1,500 or more in any calendar quarter in any such calendar year (now, coverage based on 4 or more employees in at least 20 different calendar weeks in a calendar year). (5) Provides coverage after Jan. 1, 1972, for out-of-state employers doing business in NC if during a period of 12 consecutive months the employer has one or more (now four or more) employees in 20 weeks or more, or had employment and paid for services in wages in any quarter during the period \$1,500 or more. (6) Brings under Act State institutions of higher education and NC hospitals owned and operated by State which have one or more employees in 20 weeks or more in a calendar year, or with payroll of \$1,500 or more in a quarter of a calendar year; and provides financing and payment of benefits to be under same conditions of the law as applies to individuals whose benefit rights are based on other services subject to the law. (7) Provides certain agent drivers distributing or selling products be covered irrespective of whether master-servant relationship exists. (8) Refines definitions of work covered by Act when done for NC employer outside State. (9) Removes exemption from "employment" for long list of specified employers (agricultural, charitable, etc.) with employees engaged in particular production and service operations. (10) Changes taxable wages to first \$4,200 paid an individual in a calendar year (now, \$3,000); and revises experience rating provisions to minimize effect of individual payment increase on employer payments. (11) Provides alternative methods of contributions for employer nonprofit organizations that become subject to the law. (12) Permits agents of Employment Security Comm'n to examine county tax listings of employers. (13) Provides that in order to qualify for benefits in a second benefit year a claimant must have the minimum base period wages and have earned 10 times his new weekly benefit amount since the establishment of his prior benefit year. (14) Conforms with federal law to

authorizes 13 weeks of extended benefits above present 26 weeks of regular benefits during periods of extraordinary recessionary unemployment as determined by a specified formula, said benefits to be financed on a 50-50 federal-State basis with State's share not charged to employer's account but to the pooled or underwriting account provided by law for expenses not directly attributable to an employer. (15) Provides payments to individual receiving federal or State training allowance to be reduced by the amount of said allowance; and that an individual in vocational training or school shall not lose his benefits because he refuses to quit said training or school to accept an offer of suitable work. (16) Generally conforms NC law to changes in State and federal law.

S 597 Trial de novo appeal remand
Introducer: Gudger

GS 7A
Sent to COURTS

"To amend G.S. 7A-290 to provide for remand to the District Court if the defendant shall fail to appear upon trial de novo in the Superior Court." Adds provision to GS 7A-290 (procedure for appeals from district court in criminal cases) providing if defendant fails to appear in superior court when appeal called for trial de novo, court may presume appeal withdrawn and abandoned by defendant and unless good cause shown to contrary, superior court may remand to district court for compliance with judgment below.

S 598 Corporation Act Amendments
Introducers: Strickland and Kirby

GS 55
Sent to JUDIC 1

"To amend Chapter 55 and the related provisions of the General Statutes relating to business corporations." Revises numerous sections of GS 55 including following principal changes: Amends GS 55-14 (procedure for change of registered office or agent) clarifying where statement of such changes must be recorded and setting maximum \$200.00 fee for filing certificates listing multiple corporations. Amends GS 55-27(f) (removal of directors) to permit entire Bd. of Dirs. or any individual director to be removed by vote of shareholders holding majority of outstanding shares, unless otherwise provided in charter or a bylaw adopted by shareholders. (Now, bylaw may be adopted by directors.) Amends GS 55-28(d) and GS 55-66 to also require bylaw be adopted by shareholders to alter requirement prescribed in Act. Adds GS 55-29(c) permitting directors or committee members to participate in meeting of Bd. or committee by means of conference telephone or similar communications device. Amends definition of "qualified shareholder" eligible to examine corporate books and records in GS 55-38(a) to include personal representative of estate of deceased holder, trustee in bankruptcy of holder, or receiver or liquidator of estate or affairs of holder, regardless of time shareholder had been shareholder of record or number of shares held by him. Adds new GS 55-39.1 establishing procedure for instituting shareholder's derivative actions. Does not require plaintiff be holder at time of alleged wrongful action and does not require plaintiff post security for expenses. Permits court to award plaintiffs, if successful, reasonable expenses of maintaining action or, if court determines action brought without reasonable cause, court may require plaintiffs pay defendant reasonable expenses incurred in defense of action. Requires court's approval for action to be dismissed, discontinued, compromised or settled. Adds new GS 55-39.2 authorizing superior court to appoint provisional director if directors are deadlocked in management of corporate affairs and shareholders are unable to break deadlock, and injury to corporation is being suffered or threatened. Requires action for appointment be filed by not less than one-half directors or by holders of at least one-third total outstanding shares. Requires provisional director be impartial, not related to other directors and neither shareholder nor creditor of corporation. Grants provisional director all rights and powers of regular director until removed by court order or vote or written consent of holders of majority of voting shares or such number as required under

corporate charter for election of directors. Amends GS 55-50(d) to permit corporation engaged in business of exploiting natural resources, patents, copyrights, leaseholds and other wasting assets to compute its earned surplus or net profits without deduction for depletion of such resources, for purpose of paying dividend out of earned surplus or net profits. (Now, only permissible for corporations wasting natural resources.) Amends GS 55-68(b) to require proxy must be renewed or extended before its expiration and adds new (f) through (i) setting out interest necessary to sustain irrevocability of proxy. Defines general limits of irrevocability. Invalidates any proxy obtained on basis of false or misleading solicitations. Amends GS 55-72(c) (granting holders of voting trust certificate right to vote upon any charter or bylaw amendment, reduction of stated capital, sale of assets, merger, dissolution, or consolidation) making it inapplicable to voting trust created after Oct. 1, 1971 and permitting voting trust created prior to date to amend by unanimous consent of holders of record of voting trust certificates to make section inapplicable. Amends GS 55-73(a) to permit voting agreements between shareholders on any matter (now, limited to election of directors); provides court may enjoin party to agreement from voting his shares in violation thereof, and may set aside election or other action if voting occurred in violation of agreement. Makes agreement valid for ten years, but may be extended or renewed under GS 55-72(d). Adds provision to GS 55-100(3) (procedure for amending corporate charter) requiring that charter amendment adding provision for corporate liquidation or dissolution as permitted under GS 55-125(a)(3) or which changes or repeals such, must be approved by vote of holders of all outstanding shares or such lesser number as specifically provided by charter. Amends GS 55-106 (procedure for merger) to define surviving and constituent corporations and to permit shares of merging corporations be converted into property rights. (Now, only convertible into cash, shares or other obligations of corporation.) Amends GS 55-108.1 to permit merger without approval by shareholders of surviving corporation which does not amend charter or change outstanding shares of surviving corporation and does not require issuance of common shares in excess of 20% of such shares after merger. Sets out procedure for such merger. Adds new GS 55-113.1 making shareholder or director action or approval unnecessary in fundamental changes in corporate structure pursuant to reorganization proceedings decreed by court of competent jurisdiction. Amends GS 55-114(a) making dissolution upon expiration of corporate period of duration effective only upon filing articles of dissolution (now, effective automatically). Deletes restriction to long arm statute in GS 55-145(a). Adds new GS 55-125.1 granting superior court discretion to order remedies other than dissolution when action brought by shareholder under GS 55-125(a). Effective October 1, 1971.

S 599 Telegraph arrests-warrants
Introducer: McGeachy

GS 15
Sent to JUDIC 2

"To amend G.S. 15-41 to provide for the use of abstract of warrants sent by teletype or computer for purpose of arrest." Adds to GS 15-41 (When officer may arrest without warrant) provisions authorizing copy or abstract of warrant to be sent by teletype, teletype, or computer to law enforcement officer, and such copy or abstract to be as effectual (requiring officer to proceed in same manner under it) as though he held original warrant issued by magistrate. Defines abstract to require: offense or offense code, originating agency identifier, subject's name, originating agency case number, date of warrant, and descriptive data. Requires officer causing copy or abstract of warrant to be sent to certify as correct and file copy of warrant in transmitting office and return original with statement of his action.

S 600 (Joint Resolution) Honoring law officers
Introducer: McGeachy

MISC RES
Passed three readings
and sent to House

"Honoring the law enforcement officers in the State of North Carolina."

As title indicates.

S 601 Consumer warranties
Introducer: Combs

GS 25A
Sent to MFG LABR

"To provide for product warranties and warranty service in sales of consumer goods." Adds new GS Ch. 25A as title indicates. Provides buyer's rights under GS Ch. 25A to prevail over conflicting provisions of GS Ch. 25 (Uniform Commercial Code) and that buyer's waiver of GS Ch. 25A rights shall be void. Makes provisions of chapter apply to consumer goods to which title has passed in NC as a result of a sales transaction which bears reasonable relation to State. Defines consumer goods, buyer, manufacturer, distributor, retail seller, implied warranty of merchantability, implied warranty of fitness, and express warranty. Provides for implied warranty of merchantability for every sale or consignment of consumer goods in State by a manufacturer, and for implied warranty of fitness for particular purpose by manufacturers and retailers when each has reason to know buyer is relying on his skill to select or furnish goods suitable for purpose intended by buyer. Forbids waiver of warranties of merchantability and fitness unless conspicuous writing is attached to goods stating goods are sold on "as is" or "with all faults" basis, that entire risk as to quality and performance of goods is with buyer, and that buyer assumes entire cost of all necessary servicing and repair of defective goods. Authorizes express warranties except insofar as they limit implied warranties guaranteed by chapter, and generally describes language and information required in such express warranties. Provides that every manufacturer of goods for which there exists an express warranty shall (1) maintain in State sufficient service and repair facilities to carry out terms of warranty or (2) be liable to retailer as described below. Provides manufacturer's repair of goods covered by express warranty be completed within 30 days except for delay caused by conditions beyond his control, in which case delivery must be made as soon as possible; and that should repair be impossible manufacturer replace goods or refund purchase price. Should manufacturer making express warranty not provide repair facilities buyer may (1) return goods to retail seller for replacement, repair, or refund, or (2) return goods to any retail seller within State of like goods for replacement or repair, with repairs under (1) or (2) to be made within 30 days. Makes manufacturer not maintaining facilities to repair goods covered by express warranties liable to retailer for cost of repair, replacement or refund; and provides that manufacturer's willful or repeated violations of chapter make him liable to injured retailer for treble damages. Provides chapter not to apply to defects caused by buyer's improper use; that law does not prohibit sale of clearly-worded service contracts to buyer; and that chapter's express warranty obligations apply to persons other than manufacturer making such warranties. Effective Jan. 1, 1972, as to all consumer sales completed on or after that date.

S 602 Teacher-employee minimum pension
Introducers: Scott and others

GS 135
Sent to EDUCATN

"To establish minimum pensions for certain teachers and State employees."

Rewrites GS 135-14 to provide that payments for those State teachers and employees qualified under that section and having 20 years service shall be \$120 per month beginning July 1, 1971 (now, \$70), and to provide that teachers meeting those same qualifications except having 12 years service shall be paid \$100 per month beginning

July 1, 1971 (no provision in current law for those with less than 20 years service). Provides payments to be from Annuity Savings Fund and Pension Accumulation Fund, deleting provision concerning payment from General Fund appropriations for persons leaving State service prior to July 1, 1941. Provides for General Fund appropriation supplementing Funds as necessary to carry out provisions of section, and allows benefits to persons receiving federal OASI benefits to the extent of the difference in those benefits and those authorized by this section (now, no benefits under section if person eligible for named federal benefits). Amends GS 135-8(d)(6) to remove provision that pensions payable to members received no prior service allowance are not to be paid from Pension Accumulation Fund. Effective July 1, 1971.

S 603 Chemical test refusal revocation-3
Introducer: Bowles

GS 20
Sent to HY SAFTY

"To amend G.S. 20-16.2 to increase the period of revocation of operator's license for refusing chemical test for blood alcohol with no return upon acquittal." Amends GS 20-16.2(c) to provide for revocation of license for six months (now, 60 days) for refusal to take breathalyzer test, and to remove provision for rescinding revocation of license if person is acquitted of driving under influence. Makes conforming change in GS 20-16.2(d). (For previous bills on same subject see H 165, digested in Bulletin No. 19, p. 125, and H 339, digested in Bulletin No. 35, p. 246. H 165 has been reported unfavorably.)

S 604 Punishment-driving under influence
Introducer: Bowles

GS 20
Sent to HY SAFTY

"To amend G.S. 20-179(a) to increase the punishment for second and subsequent offenses of driving under the influence and G.S. 20-19 pertaining to revocation of operator's license." Rewrites GS 20-179's schedule of penalties for second and subsequent conviction of driving under influence, setting out new penalties as follows: (1) for second conviction within three years (now, no time limit), fine of \$200 to \$500 and imprisonment for three days selected by defendant within 90 days of conviction (now, same fine and/or imprisonment for two to six months); (2) for third conviction within five years (now, no time limit), fine of not less than \$500 and imprisonment for 30 days which may not be suspended (now, same fine and/or imprisonment for two years with suspension allowed); (3) for fourth conviction within six years, fine of not less than \$1,000 and imprisonment for 60 days which may not be suspended (now, same as for third conviction); (5) for fifth or subsequent conviction within ten years, fine of not less than \$1,500 and imprisonment for six months which may not be suspended (now, same as for third conviction). Provides that mandatory sentence for third or subsequent offense can be suspended by trial court for voluntary commitment for equivalent period of time (unless released earlier) to a State alcoholic rehabilitation center. Rewrites GS 20-19(e) to provide for permanent revocation of license upon sixth or subsequent conviction of driving under influence within ten years (now, for third or subsequent conviction within five years), with provision that after five years (now, three years) DMV may grant provisional permit upon proof former licensee has not violated any motor vehicle law and has abstained from excessive use of liquor or drugs for last two years (now, upon proof that person has been of good behavior for last three years), eliminating provision concerning license revoked for third conviction prior to May 2, 1957.

HOUSE

H 932 Fisheries research in Southport
Introducers: Soles and Harrelson

APPROPRIATION
Sent to APPROPRN

"To appropriate additional funds for the Division of Commercial and Sports Fisheries research facilities at Southport." Appropriates \$136,500 from General Fund as title indicates.

H 933 Grantor omitted-deeds
Introducer: Andrews

GS 47
Sent to JUDIC 2

"To amend G.S. 47-107 relating to the omission of grantor from acknowledgments of recorded instruments." Validates deeds and other instruments permitted by law to be registered in State when they have been registered for 21 years or more but when name of grantor appearing in body of instrument and as signer of instrument has been omitted from record of certificate of officer before whom acknowledgment was taken (now applies only to deeds registered prior to 1924).

H 935 Primary candidate qualifications
Introducers: James and others

GS 163
Sent to ELECTION

"To amend G.S. 163-106(b) to provide that a person must be affiliated with a political party for six months to be a candidate in party primary." Requires person who has changed party affiliation to be member of new party for at least six months prior to filing date of any office for which he wants to run in party primary. Effective July 1, 1971.

H 936 Legislative fiscal research (Iden. S 594)
Introducer: Bryan

GS 120
Sent to RULES

"To strengthen the fiscal research resources of the General Assembly." Adds new Art. 7A to GS Ch. 120 which establishes Fiscal Research Division of Legislative Services Comm'n responsible to General Assembly through the Comm'n and independent of other segments of State government. Provides for Comm'n-appointed Director with power of appointment and removal of employees of Division. Provides for following functions of Division: (1) periodic and special analyses of past receipts and expenditures and of current requests and recommendations of State dep'ts; (2) review and evaluation of compliance by State dep'ts with legislative directions contained in State budget; (3) examine structure and organization of State dep'ts and recommend changes to increase efficiency; (4) make such other studies of State gov't as directed by Legislative Services Comm'n, Committee on Appropriations of either house, or by either house of the General Assembly; and (5) make periodic reports on the activities of the Division and special reports on above-mentioned studies as may be appropriate. Provides State agencies to furnish Division with information requested by it, and space to be provided in Legislative Bldg. Effective July 1, 1971.

H 938 Secondary roads-citizen petition
Introducer: J. M. Johnston

GS 136
Sent to ROADS

"To amend G.S. 136-62 relating to secondary roads." Amends cited section to make board of county comm'r's recommendations concerning citizens' petitions on roads binding upon State Highway Comm'n (now, petitions and recommendations are "considered" by Highway Dep't at time of preparation of secondary road plan). Effective July 1, 1971.

H 939 Nurse anesthetists regulated
Introducer: Chase

GS 90
Sent to HEALTH

"To amend Article 9 of Chapter 90 of the North Carolina General Statutes to provide for the administration of anesthetics by nurse anesthetists under the supervision of a duly licensed physician or dentist." Adds new GS 90-158.7A authorizing registered professional nurses who have completed educational program of school of anesthesia accredited by Amer. Assoc. of Nurse Anesthetists and who have passed the qualifying exam for certified nurse anesthetists given by that organization to administer anesthetics in any case where it is lawful for physician or dentist to do so, but the administration of the anesthetic must be done under the supervision of and in the presence of a physician or dentist. Exempts from educational requirements those registered nurses who have been administering anesthetics under supervision for more than 18 months prior to ratification of act.

H 940 Curb side voting-disabled
Introducers: Harris and others

GS 163
Sent to ELECTION

"To authorize aged or disabled persons to vote outside the voting enclosure." Adds new GS 163-155 as title indicates, act of casting vote to occur in the vehicle conveying disabled person to voting place or in the immediate proximity of the voting place. Effective July 1, 1971.

H 941 Water supply-Appalachian State
Introducer: Quinn

APPROPRIATION
Sent to APPROPRN

"To appropriate additional funds to Appalachian State University to construct a water supply system." Appropriates \$1,225,000 as title indicates to supplement funds appropriated by 1961 General Assembly. Effective July 1, 1971.

H 942 Employment Security Law changes (Iden. S 596)
Introducer: Mauney

GS 96
Sent to EMPLOYMT

"To amend Chapter 96, General Statutes of North Carolina, as amended, known as the Employment Security Law." Identical with S 596, digested in the Senate section of today's Bulletin.

H 943 Teacher-employee pension funds
Introducers: Payne and others

APPROPRIATION
Sent to APPROPRN

"To provide for an increase in pensions and retirement allowances payable to certain former teachers and State employees." Appropriates \$60,000 from General Fund to Teachers' and State Employees' Retirement System for 1971-73 biennium to increase by 20% per month pensions paid public school teachers and State employees with 20 or more years of service who separated from service prior to July 1, 1941, and who had attained the age of 65 years on or before August 1, 1959. Effective July 1, 1971.

H 944 Name change-Good Neighbor Council
Introducer: Frye

GS 143
Sent to ST GOVT

"To change the name of the North Carolina Good Neighbor Council to the North Carolina Human Relations Commission." As title indicates.

H 946 Nurse practitioner funds
Introducer: Chase

APPROPRIATION
Sent to APPROPN

"To appropriate funds to the State Board of Health for a program to train nurses as family nurse practitioners." Appropriates \$75,000 for fiscal 1971-72 and \$75,000 for fiscal 1972-73 to State Board of Health to fund program for education and training of family nurse practitioners, the program to be implemented through contract with baccalaureate schools of nursing in NC. Effective July 1, 1971.

H 947 Per diem-Handicapped Committee
Introducers: Twiggs and Wynne

GS 143
Sent to APPROPN

"To provide that members of the Governor's Executive Committee on the Employment of the Handicapped shall be authorized to receive per diem allowance and reimbursement for actual expenses." As title indicates; sets per diem and expenses in same manner and same amount as for members of other State boards and commissions (now, members specifically prohibited from receiving expenses). Effective July 1, 1971.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 934 More deer hunting authorized
Introducer: James

PENDER
Sent to WILDLIFE

"To provide for hunting of doe deer and additional hunting days on Holly Shelter Reservation in Pender County." Authorizes Wildlife Resources Comm'n to permit hunting of male deer on Holly Shelter Reservation 15 days in any one hunting season; and to permit in designated townships hunting of either male or doe deer by private landowners and their invited guests for such number of days as determined by Comm'n.

H 937 Landfill by eminent domain
Introducers: Bundy and H. Rountree

PITT
Sent to LOC GOVT

"Authorizing the County Commissioners of Pitt County to exercise the power of eminent domain to acquire land for disposal of garbage." Authorizes Pitt comm'rs to exercise eminent domain power of GS Ch. 40 to acquire land for purpose of establishing garbage collection and disposal facilities outside of incorporated areas according to GS 153-273, and for purpose of creating landfill for disposal of trash and other debris.

H 945 City-county school board
Introducers: G. Jernigan, High, Raynor, and Bryan

CUMBERLAND
Sent to EDUCATN

"To provide for the reorganization and consolidation of the Fayetteville City Board of Education and the Cumberland County Board of Education and to create and establish one administrative board for all of the public schools in Cumberland County." Creates Cumberland-Fayetteville Board of Education to be composed of 7 members. Provides for terms and election of members, the filling of vacancies, the appointment of Chairman, Vice-Chairman, and treasurer, and employment of a Superintendent, principals, teachers and other necessary employees. Upon merger of systems vests title of present City and County Boards in new joint Board.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

- S 213 Technical changes-courts (original bill digested in Bulletin No. 36, p. 253; amendments digested in Bulletin No. 58, p. 425 and Bulletin No. 74, p. 592)
Conference report adopted in House and Senate 5/12/71 rewrites first House amendment (new GS 7A-305.1, digested in Bulletin No. 74, p. 592) to remove restriction that it applies only when a civil action is not subsequently initiated, and to provide that the \$20 shall be credited against costs if a civil action is subsequently initiated.
- S 356 Deer hunting-Bertie & N'hampton (original bill digested in Bulletin No. 57, p. 409; Senate amendment adopted 5/5/71 digested in Bulletin No. 81, p. 666)
Floor substitute adopted in Senate 5/12/71 differs from original in specifying (1) that GS 113-104 does not prohibit transportation of guns, dogs, or other hunting equipment in prohibiting taking of deer from boats or other floating devices; (2) that it is Roanoke River's tributaries in Northampton and Bertie counties and not in Halifax and Edgecombe counties to which prohibition is meant to apply; and (3) that last paragraph of GS 113-104 is not to apply to any other stream or river in Northampton, Bertie Edgecombe, and Halifax Counties.
- S 553 (Joint Resolution) Honoring returning vets (digested in Bulletin No. 82, p. 673)
Amendment adopted in House 5/12/71 makes resolution effective upon ratification (previously bill had no effective date).

HOUSE BILLS

- H 528 Driver point reduction-clinic (digested in Bulletin No. 53, p. 385)
Committee Substitute adopted in House 5/12/71 allows DMV to give opportunity to have three points deducted for attending driver improvement clinic to any licensee who has accumulated seven points or who has accumulated three points within three years following reinstatement of license after suspension, but only one deduction of points can be made for any one licensee within any five-year period. Authorizes DMV to request licensee with those same qualifications to attend a conference on his driving record. (Original bill allowed clinic and subsequent deduction of three points for any driver who had accumulated three points on record, had limitation of only one deduction within five years, and had no provision corresponding to calling of conference.)
- H 626 Abortions residency, MD requirement (digested in Bulletin No. 61, p. 456; amendment digested in Bulletin No. 85, p. 712)
Amendment adopted in Senate 5/12/71 requires certification in writing by two doctors (originally one) that they have examined patient and find justification for abortion.
- H 740 Registering guns, weapons (digested in Bulletin No. 68, p. 528)
Amendment adopted in House 5/12/71 excludes from act automatic shotguns, automatic rifles, and automatic pistols which fire only one shot for each individual trigger action.
- H 772 County ordinance procedure (digested in Bulletin No. 72, p. 567)
Amendment adopted in House 5/12/71 reinserts language of current GS 153-9(55) relating to regulation of rights-of-way and rights-of-passage of public utilities, electric membership corporations or public agencies of the State (language omitted in original bill).

H 780 Aid to private colleges (Iden. S 480, digested in Bulletin No. 72, p. 566)

Committee Substitute adopted in House 5/12/71 authorizes Bd. of Higher Education (originally, Dep't of Admin.) to enter into contracts with institutions whereby institution receiving any funds appropriated pursuant to plan agrees to provide and administer scholarship funds for needy NC students in amount at least equal to amount paid to institution (original bill provided for direct payments, not contracts). Deletes provision prohibiting funds from use for any religious or other non-public purpose.

H 874 Provisional license-accident (digested in Bulletin No. 81, p. 665)

Amendment adopted in House 5/12/71 raises to \$300 damage level for which provisional license suspended (now, \$200).

100

100

100

100

100

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 63 RETIREMENT OF JUDGES-CONST.. S-PASSED 2ND READING.
 S. 96 ENVIRONMENTAL BILL OF RIGHTS.(5/05) S-PASSED 2ND & 3RD READING.
 S. 213 TECHNICAL CHANGES-COURTS.(4/02, 4/26, 5/12) S-CONF REPORT ADOPTED.
 S. 324 TAX-SHELTERED ANNUITIES-2.(5/11) H-REC FROM SENATE; H-REF TO COM ON FINANCE.
 #S. 353 POSTING CRIMINAL TRIAL CALENDAR. H-REPTD UNFAV.
 S. 356 DEER HUNTING-BERTIE & N'HAMPTON.(5/05, 5/12) S-POSTPONED INDEF; S-FLOOR SUBSTITUTE ADOPTED; S-PASSED 2ND & 3RD READING.
 S. 362 UTILITIES COMM'N-MOTOR CARRIERS.(5/10) H-REC FROM SENATE; H-REF TO COM ON PUB UTIL.
 S. 364 UTILITIES COMM'N-SERVICE HEARINGS.(5/10) H-REC FROM SENATE; H-REF TO COM ON PUB UTIL.
 S. 404 BANKS SUSPENDING BUSINESS-EMERGENCY. S-REPTD FAV AS AMENDED.
 S. 413 STATE HISTORY IN PUBLIC SCHOOLS. H-REPTD FAV.
 S. 429 FIRE LIGHT-DEER HUNTING PENALTY. S-REPTD FAV AS AMENDED.
 S. 452 PROTECT THE PANTHER. S-REPTD FAV.
 #S. 481 MANUFACTURE OF BEDDING. RATIFIED CH. 371.
 S. 487 PATROLMEN'S EQUIPMENT-DISPOSITION. H-PASSED 2ND READING.
 S. 497 HIGHER ED.-BONDS, ASSISTANCE.(5/06) H-REPTD FAV.
 S. 501 INDUS. COMM'N EMPLOYEES' PAY. S-REPTD FAV.
 S. 512 JUVENILE CORRECTION, WORK PAY. H-RE-REF COM ON APPROPN.
 S. 533 COMM. COLLEGE, TECH. INST. SUPPORT. H-REPTD FAV.
 S. 553 (J.RES.) HONORING RETURNING VETS.(5/12) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
 S. 560 FALLS RESERV. PROJ., C&D-US. S-REPTD FAV; S-RE-REF COM ON APPROPN.
 #S. 582 (J.RES.) HONORING LENOIR BAND. RATIFIED RES. 63.
 #S. 589 (J.RES.) INVITING REP. MILLS. H-REC FROM SENATE; H-POSTPONED INDEF.
 S. 600 (J.RES.) HONORING LAW OFFICERS. S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PASSED 2ND & 3RD READING.
 H. 102 HOUSING AUTHORITY BOUNDARIES.(5/04) H-REC TO CONCUR IN COM SUB; H-REF TO COM ON JUDIC 2.
 H. 191 FIRE INS. STAT. OF LIMITATIONS-2. H-REPTD FAV AS AMENDED.
 H. 259 DISABLED PERSONS-PARKING.(4/15, 5/10) H-CONCURRED IN S AMEND.

- H. 283 NARCOTIC DRUGS-VEHICLE CODE.(4/20, 5/05, 5/07, 5/10) S-REC FROM HOUSE; S-REF TO COM ON HY SAFTY.
- H. 314 BEAR KILLING PENALTY.(4/28) S-REPTD FAV.
- H. 332 JOINT TENANCY IN STOCKS.(5/11) H-PASSED 3RD READING.
- H. 528 DRIVER POINT REDUCTION-CLINIC.(5/12) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 544 PROTECTING RIVER/DEER, BLADEN. S-REPTD FAV.
- H. 606 FIREMEN'S PENSION FUND ELIGIBILITY. H-REMOVED FROM UNFAV CAL; H-RE-REF COM ON ST PERS.
- H. 626 ABORTIONS RESIDENCY, MD REQUIREMENT.(5/11, 5/12) S-FLOOR AMEND ADOPTED; S-PASSED 3RD READING.
- H. 682 SUMMARY EJECTMENT IN MOBILE HOMES. H-REPTD FAV.
- H. 698 BURIAL ASSOC.-12 ASSESSMENTS. H-REPTD FAV.
- H. 718 GIFTS TO WILDLIFE COMMISSION. S-REPTD FAV.
- H. 740 REGISTERING GUNS, WEAPONS.(5/12) H-FLOOR AMEND ADOPTED; H-POSTPONED TO MAY 18.
- H. 746 DEER HUNTING, GATES COUNTY.(4/30) S-REPTD FAV.
- H. 772 COUNTY ORDINANCE.(5/12) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 775 PROCESS SERVICE, COUNTER-CLAIMS.(5/07) H-PASSED 3RD READING.
- H. 780 AID TO PRIVATE COLLEGES.(5/12) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 783 FORESTRY AID-EXCLUDE XMAS TREES.(5/07, 5/07) S-REC FROM HOUSE; S-REF TO COM ON CONS&DEV.
- H. 789 CONDOMINIUM LAW DEFIN.. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
- H. 796 DISCHARGE OF LIEN BY BOND.(5/07) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.
- H. 804 HIGHER ED.-BONDS, ASSISTANCE. H-REPTD FAV.
- H. 813 TEACHERS' USE OF FORCE. H-REPTD FAV AS AMENDED.
- H. 826 DIVORCE-TRIAL WITHOUT JURY-2. H-PASSED 2ND READING.
- H. 831 DECEDENTS' ASSISTANCE CHECKS. S-REC FROM HOUSE; S-REF TO COM ON RESOURCE.
- H. 856 NUKE POWER PLANT INS.. H-REPTD FAV.
- H. 868 VET. SCHOLARSHIP ACC. ADJ'MENT. H-PASSED 2ND & 3RD READING.
- H. 874 PROVISIONAL LICENSEE-ACCIDENT.(5/12) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 897 OYSTER LEASE RENTAL REFUND. H-PASSED 2ND & 3RD READING.
- #H. 931 (J.RES.) INVITING REP. MILLS. RATIFIED RES. 64.

LOCAL BILLS

- S. 331 (DAVIE) SCHOOL PROPERTY TRANSFER. H-REPTD FAV AS AMENDED.
- S. 341 (TRANSYLVANIA) SHERIFF'S DEP'T OPERATIONS. H-PASSED 2ND READING.
- S. 407 (MARTIN) BD OF EDUCATION ELECTION.(4/19) H-REPTD FAV.
- S. 442 (SURRY) SCHOOL BOND ELECTION. S-RE-REF COM ON EDUCATN.
- S. 448 (DAVIDSON) THOMASVILLE CITY LIMITS.(5/10) S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.
- S. 472 (JONES) HUNTING FROM HIGHWAYS. S-REPTD FAV.

- #H. 416 (CLEVELAND) KINGS MTN. FIELD HOUSE CONTRACT. H-POSTPONED INDEF.
- H. 568 (WILKES) FOX HUNTING.(4/22) S-REPTD FAV.
- H. 637 (GUILFORD) GUILFORD COLLEGE ABC REGULATION. H-REPTD FAV.
- H. 665 (MARTIN) BD. OF EDUCATION ELECTION. H-REPTD FAV.
- H. 710 (GREENE) NO RACCOON HUNTING. S-REPTD FAV.
- H. 716 (ROBESON) MUNICIPAL ABC PROFITS. S-PASSED 2ND & 3RD READING.
- H. 742 (BRUNSWICK) SHALLOTTE ABC PROFITS.(4/30) S-PASSED 2ND & 3RD READING.
- H. 744 (HALIFAX) HALIFAX HUNTING ON HIGHWAYS. S-REPTD FAV.
- H. 761 (BUNCOMBE) ABC ELECTION-BLACK MOUNTAIN. H-REPTD FAV.
- H. 767 (FRANKLIN) DEER HUNTING. S-REPTD FAV.
- H. 768 (STOKES) WALNUT COVE LANDFILL. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 806 (FORSYTH, MECKLENBURG) SHERIFF'S FEES.(5/10) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 807 (MECKLENBURG) BD. EQUALIZING AND REVIEW.(5/10) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 815 (CABARRUS) CEMETERY TRUST FUND. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 821 (STANLY) CREATING AIRPORT AUTHORITY.(5/10) H-PASSED 3RD READING.
- H. 822 (MECKLENBURG) CHARLOTTE CHARTER-LIEN INTEREST. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- #H. 920 (GRANVILLE) CREEDMOOR MAYOR ELECTION. S-REPTD FAV; S-PASSED 2ND & 3RD READING; RATIFIED CH. 372.

Next Sessions of Senate and House: 12 noon, Thursday, May 13, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

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BULLETIN NO. 87

-733-

THURSDAY, MAY 13, 1971

PUBLIC BILLS INTRODUCED

SENATE

605 Fishery research in Southport (Iden. H 932)
Introducer: Frink

APPROPRIATION
Sent to APPROPRN

"To appropriate additional funds for the division of Commercial and Sports Fisheries research facilities at Southport." Identical with H 932, digested in Bulletin No. 86, p. 723.

606 Area mental health programs (Iden. H 954)
Introducer: Larkins

GS 122
Sent to MENTAL H

"To enable the North Carolina Board of Mental Health to establish area mental health programs." Identical with H 954, digested in the House section of today's Bulletin.

607 Commit mentally ill-inebriate
Introducer: Larkins

GS 122
Sent to MENTAL H

"To provide for the admission and commitment of alleged mentally ill or inebriate persons to local facilities designated by the State Board of Mental Health." Adds new GS 122-65.10 authorizing local mental health centers or similar facilities operated under supervision of NC Dep't of Mental Health to receive alleged mentally ill or inebriated persons in same manner as State hospital. Sets forth duties of clerks of superior courts with respect to such persons. Makes all provisions of GS Ch. 122 applicable to such centers with respect to care, treatment and maintenance of such patients. Authorizes clinical directors of local facilities to perform acts similar to those of sup't of State hospitals with respect to patients. Effective July 1, 1971.

609 International Cooperation Comm'n
Introducers: Currie and others

STUDY
Sent to INTERGOV

"To establish the North Carolina Commission on International Cooperation." Establishes Comm'n, within Dep't of Administration, to inform and educate citizens with respect to improved foreign trade, communication, cooperation in environmental conservation matters and other subjects. Provides for 11-member Comm'n appointed by Governor for staggered terms of three years after initial appointments. Governor to fill vacancies. Comm'n to elect officers, including chairman. Comm'n's powers include adopting by-laws, adopting regulations for conduct of its affairs, employing personnel, establishing committees, receiving grants and other aid, and making biennial report to Governor and General Assembly.

611 No drinking in vehicles
Introducers: Joyner and Bingham

GS 20
Sent to HY SAFTY

"To prohibit consumption of alcoholic beverage in moving motor vehicle; penalties for violation." Adds new GS 20-138.1 prohibiting drinking, opening, or possessing open



container of fermented malt beverages or intoxicating liquors in moving motor vehicles on streets or highways. Makes violation a misdemeanor punishable by maximum fine of \$50.00 or imprisonment up to 30 days.

S 612 Rhododendron Festival Funds (Iden. H 952)
Introducer: Gudger

APPROPRIATION
Sent to APPROPN

"To appropriate annually the sum of \$3,000 to the North Carolina Rhododendron Festival on Roan Mountain in Mitchell County during the next biennium." Appropriates from General Fund \$3,000 for each year in 1971-73 biennium; funds to be used to promote festival and attract out-of-state residents.

S 613 Sales tax on newspaper ads
Introducer: Killian

GS 105
Sent to FINANCE

"To impose the sales tax upon gross receipts from newspaper advertising." Subjects newspaper publishers to tax of three percent on gross receipts of publication of newspapers in NC; defines gross receipts to include only amounts received from sale of advertising services and advertising space. Provides for credit for taxes paid under other sections of GS Ch. 105 with respect to gross receipts. Requires publishers to register and secure license in manner provided in GS Ch. 105, Art. 5 (sales and use taxes). Specifies that gross receipts tax is additional privilege or license tax for privilege of engaging in newspaper business. Effective July 1, 1971.

S 614 State Gov't. Performance Comm'n
Introducer: Rauch

STUDY
Sent to RULES

"Creating the Legislative Commission and Agency on State Government Performance." Creates Comm'n composed of Chairmen of House and Senate Appropriations Committees, minority leaders in House and Senate, 1 member of Senate appointed by President Pro Tem of Senate, and 1 member of House appointed by Speaker. Comm'n co-chairmen to be chairmen of Senate and House Appropriations Committees. Creates Legislative Agency on State Government Performance composed of director and other employees appointed by director; director to be CPA appointed and removable by Comm'n. Authorizes employment of consultants by Comm'n. Requires Comm'n to identify and correct instances of waste, inefficiency and duplication of services in State government, and grants powers of special and general audit examinations and evaluations of functions of State government agencies. Requires written reports and recommendations to director of State government agency that has been audited and evaluated; requires compendium of such reports be made to General Assembly; sets times for submitting reports. Authorizes examination of records of NC agencies and private corporations that receive State funds; authorizes interviews of employees; and requires cooperation on part of agency or corporations being examined. Provides that all records of studies by Agency shall not be open for public inspection and shall not be treated as "public records" under GS 132-1. Appropriates \$157,803 to Comm'n for 1971-73 biennium and specifies how funds to be expended. Effective July 1, 1971.

S 615 International Coop. Comm'n-funds
Introducers: Currie and Allen

APPROPRIATION
Sent to APPROPN

"To appropriate funds for the operation of the North Carolina Commission on International Cooperation." Appropriates from General Fund to Dep't of Administration for use of Comm'n \$60,000 for fiscal year 1971-72 and \$28,000 for fiscal 1972-3. Effective July 1, 1971. (See S 609, digested above, for bill creating Comm'n.)

HOUSE

H 948 Hospital Authorities Law rewrite
Introducer: Stevens

GS 131
Sent to HEALTH

"To rewrite the Hospitals Authorities Law so as to make it applicable to every county with a population of more than 75,000, and to the City of Asheville." As title indicates (now applies only to cities with population over 75,000 and to High Point). Also makes following changes in Law: (1) Gives county board of comm'rs functions equivalent to city council, with respect to hospital authorities. Renames "comm'rs" of hospital authority as "directors". (2) Adds definition of "hospital facilities" as any type of hospital, clinic (including mental health clinic), convalescent or nursing facility, or health center. (3) Provides for hospital authority to consist of 6-18 directors rather than (now) 18 directors, serving staggered 5-yr. terms (initial appointees for 3, 4 and 5-yr. terms) rather than (now) 3-yr. terms with initial appointees for 4, 8 and 12-yr. terms. (4) Adds powers to acquire existing hospital facilities, to enter contracts for hospital services with public or private agencies, and to lease hospital facilities or projects to such agencies. (5) Amends GS 131-101 to specify that revenues securing authority bonds may be exclusively of the hospital facility or project financed with the bond proceeds, exclusively the revenues of a designated hospital facility or project (whether or not bond financed), or revenues of the authority generally. (6) Deletes 6% maximum interest on authority's bonds. (7) Specifically authorizes sale of authority bonds in authority's discretion by Local Gov't Comm'n or by authority itself. (8) Deletes final proviso of GS 131-103(23) which prohibits pledging revenue from any project excepting one newly constructed from bond proceeds. (9) Amends GS 131-110 to provide that authority's bonds (and interest) to be exempt from all federal, state and local taxes (not only if, as now, held by federal government or purchaser from federal gov't). (10) Deletes from GS 131-112 final sentence, authorizing State Utilities Comm'n to investigate projects under Article. (11) Deletes from GS 131-115 final paragraph, containing special procedure for augmenting board of directors when city sells property to authority in excess of \$100,000 value. (12) Adds section authorizing local governing bodies to aid authority as provided in GS 131-126.26.

H 949 Gas tax share, coastal resources (Iden. S 592)
Introducer: Roberson and Burrus

APPROPRIATION, GS 105
Sent to APPROPRN

"To provide the Division of Coastal Resources of the Department of Conservation and Development with partial net proceeds of gasoline taxes." Identical with S 592, digested in Bulletin No. 86, p. 717.

H 950 Voting on 18-year vote
Introducers: Harkins and others

CONSTITUTION
Sent to CONSTITUTN

"With respect to the date of the election on pending amendments to the Constitution of North Carolina." Amends Ch. 201, 1971 SL to provide if amendment to US Consitution authorizing 18 year old vote is certified by US Administrator of General Services not later than Sept. 1, 1971 to have been adopted by legislatures of at least three-fourths of states, amendment in Ch. 201 shall be voted on at general election on Nov. 7, 1972, rather than Nov. 2, 1971.

H 952 Funding Rhododendron Festival (Iden. S 612)
Introducer: Holshouser

APPROPRIATION
Sent to APPROPRN

"To appropriate annually the sum of \$3,000 to the North Carolina Rhododendron Festival on Roan Mountain in Mitchell County during the next biennium." Identical with S 612, digested in Senate section of today's Bulletin.

H 953 Teacher-employee minimum pension-2 (Iden. S 602)
Introducers: Long and Harris

GS 135
Sent to APPROPRN

"To establish minimum pensions for certain teachers and state employees." Identical

with S 602, digested in Bulletin No. 86, p. 721.

H 954 Area mental health programs (Iden. S 606)
Introducers: Raynor and others

GS 122
Sent to MENTAL H

"To enable the North Carolina Board of Mental Health to establish area mental health programs." Adds new Art. 2C to GS 122 authorizing area mental health programs under the NC Bd. Mental Health. Defines "area" as one or more counties or portions thereof designated by Bd. and "mental health program" as any services or activities for diagnosis, treatment, care, or rehabilitation of mentally impaired persons. Sets out purposes of act as follows: (1) to develop area programs, combining and developing interrelationship of resources, personnel, and facilities of Mental Health Dept. and community mental health program; (2) to develop and test with approval of Admin. Dept. budgeting procedures for combining local and State grants-in-aid funds with proportional share of funds appropriated for area operation of Dept.'s facilities; (3) to evaluate effectiveness and efficiency of area mental health programs. Requires 15-member area mental health boards where programs established, appointed by county commissioners for 4-year staggered terms in accordance with prescribed qualifications. Requires area bd., subject to supervision of State Mental Health Bd., to review and evaluate area needs and programs in mental health, mental impairment, mental retardation, alcoholism, drug dependence, and related fields, and develop with State Bd. annual plan for use of State and local facilities and resources in comprehensive program. Provides for area bd. to appoint, with approval of Comm'r Mental Health, director for area program. Requires all clinical services under area program be under supervision of person duly licensed to practice medicine in NC. Effective July 1, 1971.

H 956 Anti-discrimination ordinances
Introducers: Frye and others

GS 153, 160
Sent to LOC GOVT

"To authorize counties, incorporated cities and towns to adopt anti-discrimination ordinances." Authorizes adoption by local governing bodies of ordinances requiring fair employment practices, housing practices and public accommodation practices by prohibiting discrimination because of race, color, sex, religion, ancestry, national origin or place of birth.

H 957 No tolls on State ferries
Introducer: Mason

GS 136
Sent to ROADS

"To amend Article 6 of Chapter 136 of the General Statutes to provide for toll-free ferries operated by the State Highway Commission." Amends GS 136-82 by adding prohibition of tolls or fees for use of ferries operated or established by NC Highway Comm'n (now, expressly authorizes tolls). Makes conforming changes in other sections of GS 136.

H 958 Variable annuities' sale
Introducers: J. Ramsey and others

GS 58
Sent to INSUR

"Amending the insurance laws so as to clarify provisions relating to the sale of variable annuities by qualified agents." Adds to GS 58-79.2(r) provision that, notwithstanding NC Securities Laws, insurance companies authorized by NC Ins. Comm'r to sell variable annuities in NC shall not be required to be registered as securities dealers under Securities Law or to comply with other provisions of Securities Law relating to registered dealers.

H 959 Hospital Facilities Finance Act
Introducer: S. Johnson

GS 131
Sent to FINANCE

"Authorizing the North Carolina Medical Care Commission to finance, construct, provide and acquire and otherwise undertake hospital facilities." Adds new Art. 16 ("Medical Care Commission Hospital Facilities Finance Act") to GS Ch. 131. Grants Comm'n all powers necessary to carry out provisions of Article, including but not limited to the power to: (1) make and execute contracts, (2) acquire and sell property, (3) borrow money and pledge revenues, (4) set charges for use of hospital facilities, (5) employ consultants, conduct studies, and accept Federal and State aid to hospitals, and (6) sue and be sued. Makes Comm'n sole judge as to need of hospital facilities, public and nonprofit agencies to which they may be leased, and providing for payment of principal and interest on bonds issued. Authorizes public agencies to contract with Comm'n to facilitate its financing, acquisition, construction, and operation of hospital facilities; and to consider proposals from public and nonprofit agencies for leasing of facilities, listing provisions which may be included in such leases. Forbids discrimination in services rendered in hospitals. Provides contracts for construction of hospital facilities may be awarded as Comm'n deems best, either by open competition or by negotiation. Authorizes issuance of bonds and notes, payable solely from revenues and funds provided therefor; and provides such bonds shall not constitute debts of the State or its political subdivisions; that they shall bear interest at rates set by the Local Gov't Comm'n with approval of Comm'n; that notes shall mature within 10 years of issuance and bonds within 40 years; and that Comm'n shall determine their form and manner of execution. Prohibits issuance of bonds or notes without approval of Local Gov't Comm'n, and requires Local Gov't Comm'n approve Comm'n's bond or note request if proposed financing will effectuate purposes of Article. Provides bonds or notes may be secured by trust agreement between Comm'n and corporate trustee, lists provisions which may be included in such agreements, and provides for remedies for trustees. Authorizes Comm'n to fix fees for use of hospital facilities, and to contract with any public or nonprofit agency for use of facilities; provides fees shall be sufficient, with such other funds as may be made available therefor, to (1) pay costs of operation of facilities, (2) pay principal of and interest on bonds, and (3) create and maintain reserves provided in resolution or trust agreement. Makes all such bonds or notes negotiable instruments under State's laws, and securities in which public and private agencies and companies may invest funds. Requires annual report be submitted by Comm'n to Governor, State Auditor, General Assembly, Advisory Budget Comm'n, and Local Gov't Comm'n, and requires annual audit of Comm'n books and accounts by independent certified public accountant. Provides Comm'n not required to pay taxes on its property and income, and that bonds or notes shall be free from State and local taxation, excepting inheritance or gift taxes. Provides Article an additional and alternative method for doing of things authorized thereby.

H 960 Barber's fees
Introducer: Leatherman

GS 86
Sent to FINANCE

"To increase the fees charged and collected by the Board of Barber Examiners." Amends GS 86-15 to increase fees charged barbers for services or privileges granted by NC Bd. of Barber Examiners. Provides that act effective upon ratification but applicable only to licenses and shop permits that become effective on or after June 30, 1972.

H 961 Taxable income-Const. amendment
Introducer: M. Smith

CONSTITUTION
Sent to CONSTUTN

"To amend the Constitution of North Carolina to allow the General Assembly to define income for State income tax purposes by reference to the laws of the United States." Amends NC Const. (Art. V, section 6, subsection (6), as effective July 1, 1971 and 1973) to provide that (1) the rate of tax on incomes shall not exceed ten percent and that there shall be allowed personal exemptions and deductions so that only net incomes are taxed, and (2) that the General Assembly, in any law imposing tax or taxes on or in respect to income, may define "income" by reference to any provision of the laws of the US and may prescribe exceptions or modifications to such references. Provides for state-wide referendum on amendment at next general election, and for adoption of amendment if majority of voters favor it. (Present Art. V, section 2, subsection (6) provides for tax not to exceed ten percent of income and spells out in detail minimum exemptions, to be deducted from amount of annual income, and makes no reference to laws of US.)

LOCAL BILLS INTRODUCED

SENATE

S 608 Board of health pay
Introducer: Taylor

ROCKINGHAM
Sent to LOC GOVT

"To set the compensation of the members of the Rockingham County Board of Health." As title indicates; provides Chairman to receive \$25 per meeting day and members \$20.

S 610 Tax supervisor and tax collector
Introducers: Bailey and Coggins

WAKE
Sent to LOC GOVT

"To separate the offices of tax supervisor and tax collector in Wake County." Abolishes office of Tax Collector and Tax Supervisor and creates separate office for each duty, with Wake Board of Comm'rs empowered to fix salary of each office-holder and to appoint such assistants or clerks as necessary to carry out duties of offices.

S 616 City-county school board (Iden. H 945)
Introducers: McGeachy and Henley

CUMBERLAND
Sent to EDUCATN

"To provide for the reorganization and consolidation of the Fayetteville City Board of Education and the Cumberland County Board of Education and to create and establish one administrative board for all of the public schools in Cumberland County." Identical with H 945 digested in Bulletin No. 86, p. 725.

HOUSE

H 951 School board pay-2
Introducers: Penton and G. Rountree

NEW HANOVER
Passed three readings
and sent to Senate

"To increase the compensation of the Chairman and members of the New Hanover County Board of Education." Identical to H 520 digested in Bulletin No. 53, p. 386, except corrects error made in enrolling of H 520, and makes salary increase retro-active to April 1, 1971.

H 955 Benson Charter revision

Introducers: Gardner and J. M. Johnson by
request

JOHNSTON

Sent to LOC GOVT

"To revise and consolidate the Charter of the Town of Benson and to repeal prior Charter acts." Provides Town shall continue under same name and be vested with all property and rights presently possessed. Describes boundaries and provides their extension shall be governed by general law except as the Charter otherwise provides. Provides for 4-member Board of Comm'rs to serve 4-year terms and for Mayor to serve 2-year term, and sets out procedures for election of same and for conduct of Board meetings. Provides for Attorney appointed by Board and compensated as Board determines, and sets out his duties. Provides for Clerk, Tax Collector, and Accountant. Provides for custody of Town money and yearly independent audit, for disposal of surplus personal and real property, for police jurisdiction, for street improvements and water and sewer financing, for annexation procedure, and for exercise of the power of eminent domain.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 212 Divorce complaints (original bill digested in Bulletin No. 36, p. 253; amendments and House Committee Substitute digested in Bulletin Nos. 41 and 60, pp. 297 and 445, respectively).

Amendment to House Committee Substitute adopted in Senate 5/13/71 adds "minor" before word "child" so that complaint need list only minor children of parties.

S 251 Limit capital punishment, minors (digested in Bulletin No. 40, p. 285)

Amendment adopted in Senate 5/13/71 makes bill applicable to persons under 18 (originally, 21) years of age.

S 331 (Davie) School property transfer (digested in Bulletin No. 52, p. 376)

Amendment adopted in House 5/13/71 adds provision that if property transferred by Davie County Board of Education to Smith Grove Community Development Center, Inc. ceases to be used for nonprofit recreational purposes, title to property shall revert to Board or its successor.

S 398 Savings & Loan Assoc.-powers (digested in Bulletin No. 62, p. 464)

Committee substitute adopted in Senate 5/13/71 sets forth additional powers granted NC-chartered savings & loan association, as follows: (1) invest in capital stock or securities of NC service corporation when entire capital stock of corporation is owned by one or more but less than five associations, aggregate investment as determined by Insur. Comm'r not to exceed 1% of savings & loan associations's assets; (2) act as trustee of trust created or organized in US and forming part of stock bonus, pension or profit-sharing plan qualifying under Sec. 401(d), 1954 IRS Code, if funds of trusts are invested only in savings accounts or deposits in associations or in obligations or securities issued by associations; (3) negotiate dividend rates on individual basis with members of associations. (Original bill did not specify powers.)

S 404 Banks suspending business-emergency (digested in Bulletin No. 63, p. 477)

Amendment adopted in Senate 5/13/71 makes language changes and adds provision that, if communications are disrupted so that bank officials cannot communicate with Comm'r of Banks, officials nevertheless may close banks in emergency without prior approval of Comm'r but must give prompt notice to Comm'r as soon as communications are restored.

S 429 Fire light-deer hunting penalty (digested in Bulletin No. 66, p. 504)

Amendment adopted in Senate 5/13/71 makes maximum penalty for first offense fine of \$250.00 or imprisonment for period not to exceed 60 days, or both, and for subsequent offense minimum fine of \$250.00 or imprisonment for period not to exceed 90 days, or both (adds provision for 90 day imprisonment for subsequent offenses), and makes clarifying changes to prevent conflict of laws relating to deer hunting and hunting of raccoon, opossums or frogs.

HOUSE BILLS

H 248 Discovering debtor's assets (digested in Bulletin No. 26, p. 174)

Committee substitute adopted in House 5/13/71 makes substantial alterations in original bill. Provides additional method of discovering assets of judgment debtor by permitting written interrogatories concerning debtor's property at any time judgment remains unsatisfied and within 3 years from issuing execution (originally, 10 years and unlimited scope of interrogatories). Requires answer within 30 days (previously 20). Defines scope of interrogatories and established procedure for debtor to object to any interrogatories but such objection does not delay date of answering. If debtor fails fully to answer interrogatories, permits judgment creditor to petition court for order requiring answer be served upon judgment debtor in same manner as summons under Rules of Civil Procedure. Effective October 1, 1971 (previously July 1, 1971).

H 636 Child adoption-minor stepparent (digested in Bulletin No. 62, p. 466)

Technical amendment adopted in Senate 5/13/71.

H 727 No loitering at polls (digested in Bulletin No. 67, p. 516; amendment digested in Bulletin No. 78, p. 632).

Amendment adopted in Senate 5/13/71 provides that no electioneering shall be conducted within 75 feet of building in which voting place is located (original bill provided for 100-foot prohibition, and prior amendment provided for 50-foot prohibition), and makes non-substantive language change.

SENATE AND HOUSE

CALENDAR ACTION

MAY 13, 1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 16 FAMILY PURPOSE BOATS.(1/29) H-REPTD FAV AS AMENDED.
S. 29 OBSCENITY ACT.(3/30) H-REPTD FAV.
S. 63 RETIREMENT OF JUDGES-CONST.. S-PASSED 3RD READING.
S. 64 RETIREMENT OF JUDGES-STAT.. S-PASSED 2ND READING; S-PLACED ON CAL FOR MAY 17.
S. 96 ENVIRONMENTAL BILL OF RIGHTS.(5/05) H-REC FROM SENATE; H-REF TO COM ON CONSTITUTION.
S. 201 ASSAULT LAW REWRITE. S-RE-REF COM ON JUDIC 1.
S. 212 DIVORCE COMPLAINTS.(3/10, 4/06, 5/13) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
S. 251 LIMIT CAPITAL PUNISHMENT, MINORS.(5/13) S-COM AMEND ADOPTED; S-PLACED ON CAL FOR MAY 18.
S. 269 SCHOLARSHIPS, POLICE DEPENDENTS. S-PLACED ON CAL FOR MAY 18.
S. 356 DEER HUNTING-BERTIE & N'HAMPTON.(5/05, 5/12) H-REC FROM SENATE; H-REF TO COM ON WILDLIFE.
S. 387 CREATING NC MANPOWER COUNCIL.(4/23) S-CONCURRED IN H AMEND.
S. 398 SAVINGS & LOAN ASSOC.-POWERS.(5/13) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
S. 404 BANKS SUSPENDING BUSINESS-EMERGENCY.(5/13) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
S. 424 JUDICIAL DEPARTMENT CHANGES.(4/23, 5/04) S-CONF COM DISCHARGED; S-CONCURRED IN H AMEND.
S. 429 FIRE LIGHT-DEER HUNTING PENALTY.(5/13) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
S. 433 ELECTIONS, PRIMARIES VOTING HOURS.(5/05) H-REPTD FAV.
S. 436 NO REPORT-DEER HIT BY AUTO. H-REPTD FAV AS AMENDED.
S. 441 INSURER HOLDING REGISTRATION. S-PASSED 2ND & 3RD READING.
S. 452 PROTECT THE PANTHER. S-PASSED 2ND & 3RD READING.
S. 461 LOAN TRANSFER FEE.(5/11) S-PASSED 2ND & 3RD READING.
S. 485 CH. 208, SL 1971-CORRECTION. H-REPTD FAV.
S. 489 LICENSING LIVESTOCK DEALERS. S-REPTD FAV AS AMENDED; S-RE-REF COM ON FINANCE.
S. 497 HIGHER ED.-BONDS, ASSISTANCE.(5/06) H-PASSED 2ND READING.
S. 501 INDUS. COMM'N EMPLOYEES' PAY. S-PASSED 2ND & 3RD READING.
S. 531 EMERGENCY MEDICAID FUNDS. S-REPTD FAV AS AMENDED; S-PLACED ON CAL FOR MAY 14.
S. 532 LABOR MANAGERS-LICENSE TAX. S-REPTD FAV.
S. 533 COMM. COLLEGE, TECH. INST. SUPPORT. H-PASSED 2ND READING; H-POSTPONED TO MAY 19.

- S. 536 1969 ZOO APPROPRIATION. S-REPTD FAV.
- S. 546 (J.RES.) MEMORIALIZING BRAY. H-REPTD FAV.
- S. 553 (J.RES.) HONORING RETURNING VETS.(5/12) S-REC TO CONCUR IN H AMEND; S-PLACED ON CAL FOR MAY 14.
- S. 557 PHARMACIST GENERAL LICENSE. S-REPTD FAV.
- S. 558 PHARMACIST INTERN LICENSE. S-REPTD FAV.
- S. 559 PHARMACISTS TEMPORARY RECIPROCITY. S-REPTD FAV.
- S. 561 (J.RES.) MEMORIALIZING HEATER. H-REPTD FAV.
- S. 566 (J.RES.) UNC TRUSTEES ELECTION. H-REPTD FAV.
- S. 568 EXEMPT TRAINING SCHOOLS FROM COSTS. S-PASSED 2ND & 3RD READING.
- S. 592 GAS TAX SHARE, COASTAL RESOURCES. S-RECALLED FROM COM; S-RE-REF COM ON FINANCE.
- #S. 600 (J.RES.) HONORING LAW OFFICERS. RATIFIED RES. 65.

- #H. 22 (J.RES.) COMPUTERIZED REDISTRICTING. H-REPTD UNFAV.
- H. 95 EMINENT DOMAIN JURY TRIALS. S-PASSED 2ND & 3RD READING.
- #H. 101 ADVISORY BUDGET COMM'N MEMBERSHIP. H-REPTD UNFAV.
- #H. 116 NAVIGABLE WATERS TRASH. H-REPTD UNFAV.
- #H. 184 (J.RES.) DIXIE CLASSIC B-BALL TOURNAMENT. H-REPTD UNFAV.
- #H. 213 RAPID GROWTH-SMALL WATER SYSTEMS. H-REPTD UNFAV.
- #H. 231 OBSCENITY ACT-2. H-REPTD UNFAV.
- H. 248 DISCOVERY OF DEBTOR'S ASSETS.(5/13) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- #H. 259 DISABLED PERSONS-PARKING.(4/15, 5/10) RATIFIED CH. 374.
- #H. 272 REGIONAL WATER SUPPLY PLANNING. H-REPTD UNFAV.
- #H. 290 SQUIRREL-BUNNY SALE. H-REPTD UNFAV.
- H. 314 BEAR KILLING PENALTY.(4/28) S-PLACED ON CAL FOR MAY 19.
- H. 332 JOINT TENANCY IN STOCKS.(5/11) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.
- H. 382 TO PROVIDE STORAGE LIEN.(4/08, 4/16) S-REPTD FAV.
- H. 421 CUSTODIAL CHILD SUPPORT.(5/06, 5/07) S-RECALLED FROM COM; S-RE-REF COM ON RESOURCE.
- H. 544 PROTECTING RIVER/DEER, BLADEN. S-PASSED 2ND & 3RD READING.
- H. 566 INTER-AMERICAN AND ASIAN DEV. BANKS. S-PASSED 2ND & 3RD READING.
- #H. 591 JUDICIAL DIVISIONS. H-REPTD UNFAV.
- H. 626 ABORTIONS RESIDENCY, MD REQUIREMENT.(5/11, 5/12) H-REC TO CONCUR S AMENDS; H-CONCURRED IN S AMENDS.
- H. 627 DISCOVERY OF DEBTORS ASSETS. H-RECALLED FROM COM; H-RE-REF COM ON JUDIC 2.
- H. 636 CHILD ADOPTION-MINOR STEPPARENT.(5/13) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- H. 708 SOIL-WATER CONSERVATION COMM.. S-REPTD FAV.
- H. 715 (J.RES.) LRC MENTAL HOSPITALS STUDY.(4/23, 4/23) S-PASSED 2ND & 3RD READING.
- H. 718 GIFTS TO WILDLIFE COMMISSION. S-PASSED 2ND & 3RD READING.
- H. 727 NO LOITERING AT POLLS.(4/30, 5/13) S-COM AMEND ADOPTED; S-FLOOR AMEND FAILED; S-PASSED 2ND READING.
- H. 746 DEER HUNTING, GATES COUNTY.(4/30) S-PASSED 2ND & 3RD READING.
- H. 747 ASSAULT LAW REWRITE-2. S-RE-REF COM ON JUDIC 1.

- H. 772 COUNTY ORDINANCE PROCEDURE.(5/12) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 775 PROCESS SERVICE,COUNTER-CLAIMS.(5/07) S-REC FROM HOUSE; S-REF TO COM ON COURTS.
- H. 776 REMOVAL OF GRAVES.(5/05) S-REPTD FAV.
- H. 780 AID TO PRIVATE COLLEGES.(5/12) H-POSTPONED TO MAY 18.
- H. 804 HIGHER ED.-BONDS,ASSISTANCE. H-POSTPONED TO MAY 14.
- H. 805 NONRESIDENT STOCK TRANSFERS. S-REPTD FAV.
- H. 826 DIVORCE-TRIAL WITHOUT JURY-2. H-POSTPONED TO MAY 18.
- H. 837 (J.RES.) MEMORIALIZING B.G. PARKER,JR.. H-REPTD FAV.
- H. 853 SERVICE ON NONRESIDENT MOTORISTS. H-REPTD FAV.
- H. 856 NUKE POWER PLANT INS.. H-POSTPONED TO MAY 18.
- #H. 867 (J.RES.) RAMP-STATE VEGETABLE. H-REPTD WITHOUT PREJUDICE; H-POSTPONED INDEF.
- H. 868 VET. SCHOLARSHIP ACC. ADJ'MENT. S-REC FROM HOUSE; S-REF TO COM ON VETERANS.
- H. 874 PROVISIONAL LICENSEE-ACCIDENT.(5/12) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
- H. 876 (J.RES.) EXEC. REORG. AMEND-HIGHER ED. H-REPTD FAV.
- H. 897 OYSTER LEASE RENTAL REFUND. S-REC FROM HOUSE; S-REF TO COM ON CONS&DEV.
- H. 904 RELOCATION ASSISTANCE. H-REPTD FAV AS AMENDED.
- H. 911 UNC TRUSTEES ELECTION. H-REPTD FAV.
- H. 936 LEGISLATIVE FISCAL RESEARCH. H-REPTD FAV.

LOCAL BILLS

- S. 331 (DAVIE) SCHOOL PROPERTY TRANSFER.(5/13) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- S. 341 (TRANSYLVANIA) SHERIFF'S DEP'T OPERATIONS. H-PASSED 3RD READING.
- S. 350 (SURRY) ABC ELECTION-ELKIN. H-REPTD FAV AS AMENDED.
- S. 403 (AVERY) PRIMARY ELECTIONS. H-REPTD FAV.
- S. 407 (MARTIN) BD OF EDUCATION ELECTION.(4/19) H-PASSED 2ND & 3RD READING.
- #S. 448 (DAVIDSON) THOMASVILLE CITY LIMITS.(5/10) RATIFIED CH. 373.
- S. 472 (JONES) HUNTING FROM HIGHWAYS. S-PASSED 2ND & 3RD READING.
- S. 477 (SURRY) ELKIN FIREMEN'S SUPP. BENEFIT.(5/04) H-REPTD FAV.
- S. 555 (WILSON) AMENDING SL 1971,CH. 317. H-REPTD FAV.
- #H. 400 (BEAUFORT, HYDE, WASHINGTON) NO BEAR HUNTING. H-REPTD UNFAV.
- H. 568 (WILKES) FOX HUNTING.(4/22) S-PASSED 2ND & 3RD READING.
- H. 625 (GREENE) TB DETECTION FUNDS SOLICITATION. H-REPTD FAV.
- H. 637 (GUILFORD) GUILFORD COLLEGE ABC REGULATION. H-PASSED 2ND & 3RD READING.
- H. 639 (BRUNSWICK) LELAND INCORPORATION. H-REPTD FAV AS AMENDED.
- #H. 665 (MARTIN) BD. OF EDUCATION ELECTION. H-POSTPONED INDEF.
- H. 710 (GREENE) NO RACCOON HUNTING. S-PASSED 2ND & 3RD READING.
- #H. 716 (ROBESON) MUNICIPAL ABC PROFITS. RATIFIED CH. 375.

- H. 744 (HALIFAX) HALIFAX HUNTING ON HIGHWAYS. S-PLACED ON CAL FOR MAY 17.
- H. 761 (BUNCOMBE) ABC ELECTION-BLACK MOUNTAIN. H-PASSED 2ND & 3RD READING.
- H. 767 (FRANKLIN) DEER HUNTING. S-PASSED 2ND & 3RD READING.
- H. 821 (STANLY) CREATING AIRPORT AUTHORITY.(5/10) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 857 (FORSYTH) SEDIMENT CONTROL. H-REPTD FAV AS AMENDED.
- H. 898 (BEAUFORT, ONSLOW, WASHINGTON) NO BEAR HUNTING. H-REPTD FAV AS AMENDED.

Next Sessions of Senate and House: 10:00 a.m., Friday, May 14, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

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BULLETIN NO. 88

-745-

FRIDAY, MAY 14, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 617 Hospital Facilities Finance Act (Iden. H 959)

GS 131

Introducers: Allsbrook and others

Sent to PUB HLTH

"Authorizing the North Carolina Medical Care Commission to finance, construct, provide and acquire and otherwise undertake hospital facilities." Identical with H 959, digested in Bulletin No. 87, p. 737.

S 618 Curb side voting-disabled (Iden. H 940)

GS 163

Introducer: Scott

Sent to POLICIES

"To authorize aged or disabled persons to vote outside the voting enclosure." Identical with H940, digested in Bulletin No. 86, p. 724.

S 619 Inspection of bakeries

GS 106

Introducer: White

Sent to AGRICULT

"Amending Article 22 of Chapter 106 relating to the inspection of bakeries by the Department of Agriculture." Rewrites GS 106-227 to provide that if any provision of GS Ch. 106, Art. 22 (sanitary and safety conditions for bakeries), or rule or regulation of Bd. of Agriculture, is violated Comm'r of Agriculture may order bakery closed, and if owner of bakery refuses to close it the Comm'r may apply to superior court for order to close bakery, and judge may without notice to owner order bakery closed until it complies. Provides owner may demand and receive hearing before superior court on whether order should be discontinued, that hearing to be within seven days of written motion. (Now, Comm'r can only certify facts concerning violation to solicitor for criminal prosecution; bill retains this provision but adds provisions concerning court orders for immediate closing.) Rewrites GS 106-230 to make penalty for violation of Article or rule adopted pursuant to it \$100 and/or 30 days for first violation and \$500 and/or 90 days for second or subsequent violation (now, no reference to violation of rules or regulations; penalty for violation statute is \$25 for first offense, fine in discretion court for subsequent offenses).

S 620 No coloring of white bread

GS 106

Introducer: White

Sent to AGRICULT

"Amending G.S. 106-225.3(a) relating to the sale of artificially-colored white bread, white rolls, white buns and white biscuits." Rewrites subsection (a) of GS 106-225.3 to clarify provisions concerning prohibitions of sale of artificially colored white bread. Specifies that white bread, rolls, and buns to which section applies are as defined in Dep't of Agriculture rules and regulations, and specifies that act covers "brown and serve," "bake and serve," "quick bread" or similar products. Defines "white biscuit". Makes clear that violation of section is coloring or dyeing that simulates appearance of richness. Effective Sept. 1, 1971.



S 621 Limited driving-old convictions
Introducers: Staton and F. Jones

GS 20
Sent to HY SAFTY

"To reenact Chapter 1283, Session Laws of 1969, allowing judges to grant limited driving privileges to individuals upon a first conviction of driving while under the influence of intoxicating liquor." Reenacts GS 20-179(b), adding provision that no prior offense occurring more than ten years before current offense shall be considered in determining whether current offense is a first conviction. (For related bills see S 110, ratified as Ch. 226, SL 1971, which extends expiration date of GS 20-179(b) to June 30, 1973; and S 68, ratified as Ch. 15, SL 1971, which prohibits DMV from considering convictions over ten years old in suspending or revoking license.)

S 622 Study Comm'n, UNC utilities (Iden. H 817)
Introducers: Allen and others

STUDY
Sent to PUB UTIL

"To create a commission to study, and in its discretion to recommend the retention or the sale, lease, rental, transfer, or other disposition of certain University enterprises or projects in the jurisdiction of and operated by the University of North Carolina at Chapel Hill, and to authorize said disposition in the event of such a recommendation." Identical with H 817, digested in Bulletin No. 77, p. 618.

HOUSE

H 962 Property tax on mobile homes
Introducer: Hunter

GS 105
Sent to LOC GOVT

"To facilitate the collection of ad valorem taxes imposed on mobile homes and house trailers." Adds new Article 20A to GS Ch. 105 requiring every mobile home owner prior to moving of mobile home to make written application to county tax collector stating name and address of owner and trucker who will move home, and address of premises from which and to which home is to be moved. Provides tax collector to issue permit for removal of home after payment of county taxes on home for current and past years and any interest or penalties due on such taxes. Sets out form of moving permit and provides copies to go to applicant, to the sheriff and tax collector of county of present site, and to the tax collector of county of proposed site. Omits from act transient owners temporarily placing mobile home on site in county, and provides trucker not to be required to obtain permit or have copy of same in his possession. Makes violation of act misdemeanor punishable by \$50 fine or 30 days imprisonment in addition to any penalties imposed for failure to list or pay taxes. Effective Jan. 1, 1972.

H 963 Trading stamp sales
Introducer: J. M. Johnson

GS 105
Sent to JUDIC 2

"Amending G.S 105-92 to prevent discrimination in the sale of trading stamps." Adds new GS 105-92(d) providing that persons or firms licensed to distribute trading stamps to retail stores shall not discriminate in prices charged such retailers, and that violation of act shall be grounds for forfeiture of license.

H 964 Teachers' bargaining units
Introducer: Whichard

GS 115
Sent to EDUCATN

"Relating to certificated public school employees, providing for professional negotiation between employee associations and school boards, establishing orderly procedures governing relationships between them which are designed to meet the special requirements and needs of public education." Declares it State policy to recognize

teachers' right to form, join and assist professional educators' associations, and for associations to negotiate with school boards over compensation and conditions of professional service. Sets forth State's desire to avoid or settle disputes by establishing procedures to facilitate agreement by orderly means. Defines "appropriate negotiating unit" as unit consisting of majority of professional educators of a particular public school administrative unit, membership in such unit to be determined by vote of membership of local professional educators' association. Defines key terms, including "good faith", "professional educator", "professional educators' association", and "professional negotiation". Establishes "Professional Employee Relations Commission" within NC Dep't of Public Instruction, consisting of seven members (three to be professional educators, two of whom shall be classroom teachers; also, at least two of total seven to be black members). Comm'n members to be appointed by Sup't of Public Instruction with approval State Board of Educ. for four-year staggered terms, with initial terms to vary from two to four years. Authorizes Comm'n to hire staff, to make and rescind regulations to effectuate act and to prevent any person from engaging in conduct violative of act, to hold hearings, subpoena witnesses, compel production of evidence, etc. Grants educators right to form, join, and assist professional educators' associations and to engage in professional negotiating with school boards through representatives of their own choosing, but prohibits membership in any association as requirement or condition of employment or retention of employment. Makes association designated as negotiator by majority of educators in appropriate unit the exclusive representative of all educators in unit, but requires school board to listen and consider views of any individual educator on matter relating to application of existing agreements to his terms and conditions of service as long as exclusive representative has opportunity to be present. Permits educators' association to file request for recognition with school board, alleging majority of teachers have chosen said association as their negotiating unit, request to be accompanied by names and addresses of officers of association and petitions signed by majority of educators in unit. Requires request be posted in each school in system and requires school board to grant recognition unless: (1) bd. has good faith doubt as to majority support of association, (2) competing claim of another association is filed within ten days, (3) bd. has recognized association other than petitioner within previous 36 months. Makes recognition when granted effective for 36 months and renewable for like period. If bd. refuses recognition for (1) or (2) above a secret ballot election must be held to determine which association shall be recognized. Establishes procedure for selecting referee to conduct such election, providing specifically that choice of "no representation" shall be on ballot.

Requires school board to meet and negotiate in good faith with exclusive representative, and requires both to meet within ten days after receipt of written request from either party to meet and negotiate matters relating to compensation, terms and conditions of employment. Prohibits more than five representatives for either side at negotiations. Requires any agreement resulting from negotiations be reduced to written contract, but no contract to exceed 36 months. Exempts educational matters other than compensation, and terms and conditions of employment from professional negotiation but provides that educators to be consulted on those matters. Establishes mediation procedures for negotiations deadlocked after Mar. 1 of year contract to affect, and provides that if mediator is unable to reach agreement fact finding committee to be established. Makes committee recommendations advisory only, but provides that if local school board and association fail to agree thereon, committee must present report to Comm'n for final and binding settlement. Makes it unlawful for bd. or public school admin. unit to interfere with, restrain or coerce professional educators in exercise of rights under act, to refuse to meet or negotiate in good faith or to deny reasonable means of communications to professional educators. Makes it unlawful for association to interfere with, restrain or coerce professional educators in rights under act (but specifically does not impair association's right to prescribe own rules with respect to acquisition or retention of membership); to induce, authorize, ratify or participate in strike against a public school system, or engage in concerted refusal to render service as required by contract; to discriminate because of race, color, creed or national origin; to refuse to meet or negotiate; or to compel any person to join or retain membership in association. Does not prevent employer

from discharging or disciplining employee who participates in prohibited activities, and association may be decertified by bd. for 24 months for those violations, so long as bd. itself is not guilty of violations of act. Effective July 1, 1971.

H 965 Prorate inheritance tax exemption
Introducer: Long

GS 105
Sent to FINANCE

"To amend G.S. 105-4 to permit inheritance tax exemption to be divided per capita among grandchildren." Rewrites first two provisos of GS 105-4(b) to (1) provide that where one or more children predecease deceased parent, their children share equally in total inheritance tax exemption which would otherwise have been applicable had said predeceased child or children survived their parent (now, child or children of each predeceased child of deceased parent are entitled to that predeceased child's exemption), and (2) clarify right of child or children of living child of deceased to be allowed the single exemption or so much thereof as is not applied to the share of their parent (child of deceased), when the parent does not share in the estate of deceased to the full extent of said exemption.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

None

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 16 Family purpose doctrine-boats (digested in Bulletin No. 1, p. 5; amendment adopted in Senate 1/29/71 digested in Bulletin No. 13, p. 87)

Amendments adopted in House 5/14/71 to (1) reword bill to provide family purpose doctrine as applicable to tort cases arising from operation of motor vehicles shall apply to tort cases arising from operation of motor boats and vessels; (2) make act inapplicable to pending litigation; and (3) change effective date from ratification to July 1, 1971.

S 29 Obscenity Act (digested in Bulletin No. 6, p. 33; committee substitute adopted in Senate 3/30/71 digested in Bulletin No. 55, p. 394)

Amendment adopted in House 5/14/71 to make act effective July 1, 1971 rather than on ratification.

S 203 Investment of funds by CSC (digested in Bulletin No. 35, p. 244)

Committee Substitute adopted in Senate 5/14/71 adds new subsection to GS 7A-112 providing that clerk shall within 60 days invest money held in single account which exceeds \$2,000 and is expected to remain on deposit for period in excess of six months from its receipt, and further providing that clerk shall invest money held in single account which does not exceed \$2,000 in accordance with rules of AOC. Provides act not applicable to cash bonds or money held for disbursal to governmental units. (Original bill related only to investment of funds in excess of \$500 held in account for minors or incompetents, and to investment of funds paid into clerk in highway condemnation cases. Original bill added new GS 2-54.1 and -54.2; substitute instead amends new GS 7A-112 added by Ch 363, SL 1971.) Deletes reference in GS 7A-308(a)(15) to commission on investment of GS 2-53 and GS 28-68 funds, leaving in general provision on commissions (original bill made no reference to commissions). Changes effective date from ratification to Oct. 1, 1971.

S 403 (Avery) Primary elections (digested in Bulletin No. 63, p. 480)
Amendment adopted in House 5/14/71 makes bill repeal Ch. 263, PL 1937 rather than Ch. 439, SL 1955.

S 433 Elections, primaries voting hours (digested in Bulletin No. 66, p. 505; amendment adopted in Senate 5/5/71 digested in Bulletin No. 81, p. 666)
Amendment adopted in House 5/14/71 authorizes county boards of election to permit polls to stay open until 8:30 p.m. where voting machines used.

S 436 No report-deer hit by auto (digested in Bulletin No. 67, p. 515)
Amendment adopted in House 5/14/71 adds provision that any person desiring to keep the carcass of an accidentally killed deer must obtain permit from wildlife protector or other law enforcement officer.

S 531 Emergency Medicaid funds (Iden. H 841) (digested in Bulletin No. 79, p. 637)
Amendment adopted in Senate 5/14/71 provides that county that has expended all appropriated funds for Medicaid, including surplus from Public Assistance categories, "Social Services Administration or other appropriations for Social Services" may qualify for State assumption of Medicaid expenses (adds quoted language). Adds provision that Advisory Budget Comm'n may require Dep't of Social Services to withhold allocation of State aid to counties for social services administration to that county beginning October 1, 1971, until county has paid into State Fund for Medical Assistance amount equal to amount expended on behalf of county by State pursuant to S 531.

S 533 Comm. college, tech. inst. support (digested in Bulletin No. 79, p. 638)
Amendment adopted in House 5/14/71 provides nothing in act shall be construed to authorize issuance of bonds without a vote of the people.

HOUSE BILLS

H 191 Fire ins. stat. of limitations-2 (digested in Bulletin No. 22, p. 144)
Amendment adopted in House 5/14/71 makes bill effective January 1, 1972 rather than on ratification.

H 639 (Brunswick) Leland incorporation (digested in Bulletin No. 62, p. 470)
Amendment adopted in House 5/14/71 redefines proposed corporate boundaries, corrects error in date for registration for election, changes oath from that in original bill to one in NC Const., and conforms tax levying provision to possible changes in Machinery Act.

H 813 Teachers' use of force (digested in Bulletin No. 77, p. 618)
Amendment adopted in House 5/14/71 adds "substitute teachers" to those authorized by bill to use force according to provisions of GS 115-146.

H 857 (Forsyth) Sediment control (digested in Bulletin No. 80, p. 652)
Amendment adopted in House 5/14/71 (1) limits effect of ordinances bill empowers Board of Comm'rs to make to unincorporated areas; (2) limits to Winston-Salem and Kernersville authority to enact municipal sediment control ordinances (originally, power granted any municipality in county); and (3) authorizes Kernersville as well as Winston-Salem to make ordinances to prevent soil erosion by requiring plans governing construction sites.

H 898 (Beaufort, Jones, Onslow, Washington) No bear hunting (digested in Bulletin No. 83, p. 687)
Amendment adopted in House 5/14/71 makes bill applicable to Jones County as well as Beaufort, Onslow, and Washington.

H 904 Relocation assistance (digested in Bulletin No. 84, p. 697)

Amendment adopted in House 5/14/71 has bill add new section to GS Ch. 146 rather than to Ch. 136; substance of new section remains same.

SENATE AND HOUSE

CALENDAR ACTION

MAY 14, 1971

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 16 FAMILY PURPOSE BOATS.(1/29, 5/14) H-COM AMENDS ADOPTED;
 H-PASSED 2ND READING; H-POSTPONED TO MAY 19.
 S. 29 OBSCENITY ACT.(3/30, 5/14) H-FLOOR AMEND ADOPTED; H-PASSED
 2ND READING.
 S. 63 RETIREMENT OF JUDGES-CONST.. H-REC FROM SENATE; H-REF TO COM
 ON COURTS.
 S. 203 INVESTMENT OF FUNDS BY CSC.(5/14) S-REPTD FAV COM SUBSTITUTE;
 S-COM SUBSTITUTE ADOPTED.
 S. 212 DIVORCE COMPLAINTS.(3/10, 4/06, 5/13) H-REC TO CONCUR IN S
 AMEND.
 #S. 213 TECHNICAL CHANGES-COURTS.(4/02, 4/26, 5/12) RATIFIED CH. 377.
 #S. 365 UTILITIES COMM'N-RATE DATA FILING. S-REPTD UNFAV.
 S. 368 UTILITIES COMM'N-PIPELINE SAFETY-2. S-REPTD FAV.
 #S. 387 CREATING NC MANPOWER COUNCIL.(4/23) RATIFIED CH. 378.
 S. 398 SAVINGS & LOAN ASSOC.-POWERS.(5/13) S-PASSED 2ND & 3RD
 READING.
 S. 404 BANKS SUSPENDING BUSINESS-EMERGENCY.(5/13) H-REC FROM SENATE;
 H-REF TO COM ON BANKS.
 S. 413 STATE HISTORY IN PUBLIC SCHOOLS. H-POSTPONED TO MAY 18.
 #S. 424 JUDICIAL DEPARTMENT CHANGES.(4/23, 5/04) RATIFIED CH. 381.
 S. 429 FIRE LIGHT-DEER HUNTING PENALTY.(5/13) H-REC FROM SENATE;
 H-REF TO COM ON WILDLIFE.
 S. 433 ELECTIONS, PRIMARIES VOTING HOURS.(5/05, 5/14) H-FLOOR AMEND
 ADOPTED; H-PASSED 2ND READING.
 S. 436 NO REPORT-DEER HIT BY AUTO.(5/14) H-COM AMEND ADOPTED;
 H-PASSED 2ND & 3RD READING.
 S. 441 INSURER HOLDING REGISTRATION. H-REC FROM SENATE; H-REF TO
 COM ON INSUR.
 S. 452 PROTECT THE PANTHER. H-REC FROM SENATE; H-REF TO COM ON
 WILDLIFE.
 S. 461 LOAN TRANSFER FEE.(5/11) H-REC FROM SENATE; H-REF TO COM ON
 INSUR.
 S. 485 CH. 208, SL 1971-CORRECTION. H-PASSED 2ND & 3RD READING.
 S. 487 PATROLMEN'S EQUIPMENT-DISPOSITION. H-POSTPONED TO MAY 18.
 S. 497 HIGHER ED.-BONDS, ASSISTANCE.(5/06) H-PASSED 3RD READING.
 S. 501 INDUS. COMM'N EMPLOYEES' PAY. H-REC FROM SENATE; H-REF TO
 COM ON MFR LABR.

- S. 531 EMERGENCY MEDICAID FUNDS.(5/14) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PASSED 2ND & 3RD READING.
- S. 532 LABOR MANAGERS-LICENSE TAX. S-PASSED 2ND READING.
- S. 533 COMM. COLLEGE,TECH. INST. SUPPORT.(5/14) H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING.
- S. 536 1969 ZOO APPROPRIATION. S-PASSED 2ND READING.
- S. 546 (J.RES.) MEMORIALIZING BRAY. H-PASSED 2ND & 3RD READING.
- S. 553 (J.RES.) HONORING RETURNING VETS.(5/12) S-CONCURRED IN H AMEND.
- S. 557 PHARMACIST GENERAL LICENSE. S-PASSED 2ND & 3RD READING.
- S. 558 PHARMACIST INTERN LICENSE. S-PASSED 2ND & 3RD READING.
- S. 559 PHARMACISTS TEMPORARY RECIPROCITY. S-PASSED 2ND & 3RD READING.
- S. 561 (J.RES.) MEMORIALIZING HEATER. H-PASSED 2ND & 3RD READING.
- S. 566 (J.RES.) UNC TRUSTEES ELECTION. H-PASSED 2ND & 3RD READING.
- S. 568 EXEMPT TRAINING SCHOOLS FROM COSTS. H-REC FROM SENATE; H-REF TO COM ON CORRECTN.
- S. 574 REGULATING UNC UTILITIES. S-REPTD FAV.
- S. 575 EXTENDING UNC UTILITIES. S-REPTD FAV.
- S. 576 BONDS FOR UNC UTILITIES. S-REPTD FAV.

- #H. 95 EMINENT DOMAIN JURY TRIALS. RATIFIED CH. 382.
- H. 191 FIRE INS. STAT. OF LIMITATIONS-2.(5/14) H-COM AMEND ADOPTED; H-PASSED 2ND READING.
- H. 248 DISCOVERY OF DEBTOR'S ASSETS.(5/13) H-PASSED 2ND & 3RD READING.
- H. 382 TO PROVIDE STORAGE LIEN.(4/08, 4/16) S-PASSED 2ND & 3RD READING.
- H. 528 DRIVER POINT REDUCTION-CLINIC.(5/12) H-PASSED 2ND & 3RD READING.

- #H. 544 PROTECTING RIVER/DEER,BLADEN. RATIFIED CH. 384.
- #H. 566 INTER-AMERICAN AND ASIAN DEV. BANKS. RATIFIED CH. 386.
- H. 636 CHILD ADOPTION-MINOR STEPPARENT.(5/13) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- H. 682 SUMMARY EJECTMENT IN MOBILE HOMES. H-PASSED 2ND & 3RD READING.
- H. 698 BURIAL ASSOC.-12 ASSESSMENTS. H-PASSED 2ND READING.
- H. 708 SOIL-WATER CONSERVATION COMM.. S-PASSED 2ND & 3RD READING.
- #H. 715 (J.RES.) LRC MENTAL HOSPITALS STUDY.(4/23, 4/23) RATIFIED RES. 66.
- #H. 718 GIFTS TO WILDLIFE COMMISSION. RATIFIED CH. 388.
- H. 727 NO LOITERING AT POLLS.(4/30, 5/13) S-PLACED ON CAL FOR MAY 20.
- #H. 746 DEER HUNTING,GATES COUNTY.(4/30) RATIFIED CH. 389.
- H. 776 REMOVAL OF GRAVES.(5/05) S-PLACED ON CAL FOR MAY 17.
- #H. 804 HIGHER ED.-BONDS,ASSISTANCE. H-POSTPONED INDEF.
- H. 805 NONRESIDENT STOCK TRANSFERS. S-PASSED 2ND & 3RD READING.
- H. 813 TEACHERS' USE OF FORCE.(5/14) H-COM AMEND POSTP'D INDEF; H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.

- H. 837 (J.RES.) MEMORIALIZING B.G. PARKER, JR.. H-PASSED 2ND & 3RD READING.
- H. 853 SERVICE ON NONRESIDENT MOTORISTS. H-PASSED 2ND & 3RD READING.
- H. 862 PUBLIC SCHOOL EMPLOYEE SICK LEAVE. H-RECALLED FROM COM; H-RE-REF COM ON EDUCATN.
- H. 876 (J.RES.) EXEC. REORG. AMEND-HIGHER ED. H-POSTPONED TO MAY 19.
- H. 904 RELOCATION ASSISTANCE.(5/14) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- #H. 911 UNC TRUSTEES ELECTION. H-POSTPONED INDEF.
- H. 936 LEGISLATIVE FISCAL RESEARCH. H-POSTPONED TO MAY 17.
- H. 950 VOTING ON 18-YEAR VOTE. H-REPTD FAV.

LOCAL BILLS

- S. 331 (DAVIE) SCHOOL PROPERTY TRANSFER.(5/13) S-REC TO CONCUR IN H AMEND; S-PLACED ON CAL FOR MAY 17.
- #S. 341 (TRANSYLVANIA) SHERIFF'S DEP'T OPERATIONS. RATIFIED CH. 341.
- S. 350 (SURRY) ABC ELECTION-ELKIN. H-POSTPONED TO MAY 20.
- S. 403 (AVERY) PRIMARY ELECTIONS.(5/14) H-PASSED 2ND READING; H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING.
- #S. 407 (MARTIN) BD OF EDUCATION ELECTION.(4/19) RATIFIED CH. 380.
- S. 472 (JONES) HUNTING FROM HIGHWAYS. H-REC FROM SENATE; H-REF TO COM ON WILDLIFE.
- S. 477 (SURRY) ELKIN FIREMEN'S SUPP. BENEFIT.(5/04) H-PASSED 2ND & 3RD READING.
- S. 555 (WILSON) AMENDING SL 1971,CH. 317. H-PASSED 2ND & 3RD READING.
- #H. 568 (WILKES) FOX HUNTING.(4/22) RATIFIED CH. 385.
- H. 625 (GREENE) TB DETECTION FUNDS SOLICITATION. H-PASSED 2ND & 3RD READING.
- H. 637 (GUILFORD) GUILFORD COLLEGE ABC REGULATION. S-REC FROM HOUSE; S-REF TO COM ON ABC.
- H. 639 (BRUNSWICK) LELAND INCORPORATION.(5/14) H-COM AMEND ADOPTED.
- #H. 710 (GREENE) NO RACON HUNTING. RATIFIED CH. 387.
- H. 761 (BUNCOMBE) ABC ELECTION-BLACK MOUNTAIN. S-REC FROM HOUSE; S-REF TO COM ON ABC.
- #H. 767 (FRANKLIN) DEER HUNTING. RATIFIED CH. 390.
- H. 857 (FORSYTH) SEDIMENT CONTROL.(5/14) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING; H-RECALLED FROM SENATE.
- H. 898 (BEAUFORT, JONES, ONSLOW, WASHINGTON) NO BEAR HUNTING.(5/14) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 951 (NEW HANOVER) SCHOOL BOARD PAY. S-REPTD FAV; S-PASSED 2ND & 3RD READING.

Next Sessions of Senate and House:

9:30 a.m., Saturday, May 15, 1971, for the consideration of local bills only; 8:00 p.m., Monday, May 17, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
P. O. BOX 7294, RALEIGH, N. C.
27611 TEL. (919) 755-3355
(919) 829-7677

BULLETIN NO. 89

-755-

MONDAY, MAY 17, 1971

Note: The Senate and House convened at 9:30 a.m. on Saturday, May 15, 1971, for consideration of local bills only. No bills were introduced and no calendar action was taken in either Chamber.

PUBLIC BILLS INTRODUCED

SENATE

S 623 Incorporate city in sanit. dist.
Introducer: Taylor

GS 130, 160
Sent to LOC GOVT

"To provide a mechanism for a vote by the affected citizens on whether to incorporate a municipality in the area of a sanitary district and to simultaneously dissolve the sanitary district and transfer its assets and liabilities to the municipality." Adds new section GS 130-156.3 authorizing General Assembly to incorporate a municipality, subject to favorable vote (simple majority) by residents of proposed town, which includes or is coterminous with sanitary district, and to provide for simultaneous dissolution of district and transfer of its assets and liabilities to town. Requires act to set forth boundaries of town, fix time for referendum on incorporation, set effective dates, establish form of government and composition of governing board of town, and otherwise specify appropriate town charter matters. Requires county board of elections to conduct referendum (if town in two counties, the board of elections in which reside greatest number of residents of proposed town to conduct referendum), and sets forth form of ballot. Act not to be construed to require dissolution of districts included within or contiguous with existing or future municipalities.

S 625 Literary Fund interest rate
Introducer: Scott

GS 115
Sent to EDUCATN

"To amend G.S. 115-102 increasing the amount of interest which the State Board of Education may charge on loans from the State Literary Fund to county and city boards of education from four to six percent." As title indicates.

S 626 School unit employee bonds
Introducer: Scott

GS 115
Sent to EDUCATN

"To amend G.S. 115-85 to provide that all employees of public school administrative units authorized or permitted to receive school funds shall be bonded annually in an amount to be fixed by the local board of education with the approval of the board of county commissioners." As title indicates (now, State Board of Education decides what State and local employees are required to give bonds, places same, and pays premiums.)

S 627 Use of Literary Fund loans
Introducer: Scott

GS 115
Sent to EDUCATN

"To amend G.S. 115-101 authorizing the State Board of Education to make loans



from the State Literary Fund to county and city boards of education for the purpose of aiding in the erection and equipment of school plants, maintenance buildings and transportation garages." Amends GS 115-101 to provide as title indicates (now, Board authorized to make loans to counties for use of county and city boards of education for aiding in erection and equipment of school plants).

S 628 Pub. bldgs., systems mgmt. laws
Introducer: Futrell

GS 129, 143
Sent to ST GOVT

"To consolidate the statutes regarding the Department of Administration."
Repeals provisions of GS Ch. 129 relating to creation of General Services Division and authority of Governor and Council of State to transfer Division to Dep't of Administration (an authority that has been executed). Makes corresponding transfer of various provisions of GS Ch. 129 (relating to General Services Division) to GS Ch. 143 (relating to Dep't of Administration). Adds express authority for Department of Administration, subject to approval of Council of State, to establish and operate automated systems management centers to furnish services to NC agencies on co sharing basis (for purposes of more efficient and economical operation of equipment, supplies and positions and for training programs to improve capability and technical and managerial personnel in automated systems management functions).

S 630 Currituck forest ranger funds
Introducer: Wood

APPROPRIATION, GS 113
Sent to APPROPRN

"To appropriate funds to the Department of Conservation and Development so as to assist in providing a forest ranger and other fire control personnel for Currituck County." Appropriates from General Fund to Dep't of C & D \$19,569 for fiscal year 1971-72 and \$15,426 for fiscal year 1972-73 for purposes indicated by title. Effective July 1, 1971.

HOUSE

H 967 Pledge to party
Introducer: Davis

GS 163
Sent to ELECTION

"Deleting the pledge of political candidates to support all party nominees."
Amends GS 163-106(a) by deleting requirement for candidates to support "all" nominees of party and substitutes word "only", so that pledge would require candidates to support "only" candidates nominated by their party.

H 973 Lumbee Drama-funds
Introducers: Odom and others

APPROPRIATION
Sent to APPROPRN

"Appropriating funds to aid with the staging of a drama based on the history of the Lumbee Indians." Appropriates \$25,000 from the General Fund to the State Dep't of Archives and History for 1971-73 biennium for the production of drama, subject to availability of matching funds from Robeson County.

H 974 Non-member teacher pensions
Introducer: Mohn and others

APPROPRIATION, GS 135
Sent to APPROPRN

"To provide pensions for certain teachers who elected not to become members of the Teachers' and State Employees' Retirement System in 1941, and to make an appropriation therefor." Adds new GS 135-18.6, providing that every person who has reached age 65 as of 7/1/71 or becomes 65 thereafter, and who was teacher when TSERS was established in 1941 but elected not to become member, shall be paid pension of \$5.00 per month for each year of service as teacher, including service before and after July 1, 1941, but not to exceed \$100.00 per month per teacher. Appropriates from General Fund funds necessary to carry out bill. Effective July 1, 1971.

H 975 Commit mentally ill-inebriate (Iden. H 607)
Introducers: Raynor and others

GS 122
Sent to MENTAL H

"To provide for the admission and commitment of alleged mentally ill or inebriate persons to local facilities designated by the State Board of Mental Health." Identical with S 607 digested in Bulletin No. 87, p. 733.

LOCAL BILLS INTRODUCED

SENATE

S 624 Yanceyville incorporation
Introducer: Taylor

CASWELL
Sent to LOC GOVT

"To authorize an election on the question of incorporating the Town of Yanceyville in Caswell County and simultaneously dissolving the Yanceyville Sanitary District, in accordance with G.S. 130-156.3." Requires county board of elections to hold special election for voters in proposed town of Yanceyville (described corporate limits) on issue whether to incorporate town and simultaneously dissolve sanitary district. Provides for new registration, appointing registrar and judges of election, designating polling place, appointing interim mayor and four commissioners to serve until initial election in 1973, form of ballot, and interim and transitional arrangements relating to budgets and conduct of affairs of town and district. Sets out (subject to referendum) charter of proposed town, including boundaries, general and specific corporate powers, election of mayor on at-large basis, at-large election of four members of board of commissioners for four-year terms, regular and special meetings of board, method of adopting ordinances, and election procedures.

S 629 County law officers fund
Introducer: Allsbrook

HALIFAX
Sent to CORRECTN

"To repeal the Halifax County Law Enforcement Officer's Relief Act and to provide for disbursement of any remaining funds." Abolishes Halifax County Law Enforcement Officer's Relief Association and transfers all property of that organization to the Halifax County Law Enforcement Association.

HOUSE

H 966 Lilesville charter
Introducer: Hightower

ANSON
Sent to LOC GOVT

"Relating to the Lilesville Town Charter." Amends charter of Lilesville by substituting "police or police officers" in lieu of "constable or constables". Grants town police officers authority, when in hot pursuit of any person charged with violation of any criminal offense within town, to pursue offender beyond town's corporate limits and as far as boundary line of adjoining county and to arrest the offender while in hot pursuit.

H 968 Sanford charter, ABC, golf comm'n
Introducers: Love and Arnold

LEE
Sent to LOC GOVT

"To amend the Charter of the City of Sanford and local acts relating to the Sanford ABC Board and the Sanford Golf Commission." Adds to Sanford charter provision that bd. of aldermen may fix terms and conditions of appointment of members of all boards and comm'ns, regardless of how created, and may provide for fixed terms

or for members to serve at pleasure of bd. Makes conforming change in Ch. 822, SL 1965 (golf comm'n). Amends Ch. 105, SL 1961, as amended by deleting \$8,000 salary limitation for Sanford ABC supervisor and providing that no ABC bd. member who is serving as supervisor may vote upon any proposed salary change for supervisor.

H 969 Airport authority
Introducer: J. M. Johnson

JOHNSTON
Sent to LOC GOVT

"To enable the County of Johnston to establish an airport authority for the maintenance of airport facilities in the county." Creates Johnston County Airport Authority and sets out its composition (5 members, 4-yr. staggered terms), and powers, including authority to issue tax-exempt revenue bonds and to mortgage its property to its bonds with consent of county comm'rs.

H 970 Sales and use taxes
Introducer: Fenner

NASH
Sent to LOC GOVT

"To enable Nash County to impose and levy a sales and use tax of 1% upon certain taxable transactions." Bill generally follows provisions of Local Government Sales and Use Tax Act of 1971 (S 81, ratified Ch. 77, original bill digested in Bulletin No. 13, p. 83, Committee Substitute digested in Bulletin No. 28, p. 194). Provides election shall not be held in Nash County on question of local option tax until similar election has been called in Edgecombe County, and commissioners of Nash may not impose tax by resolution until tax has been similarly imposed by Edgecombe commissioners.

H 971 Sales and use taxes
Introducer: Fenner

EDGECOMBE
Sent to LOC GOVT

"To enable Edgecombe County to impose and levy a sales and use tax of 1% upon certain taxable transactions." Identical with H 970 digested above, except that restrictions on holding election on tax or adopting tax by resolution turn on similar action taken by Nash County.

H 972 Joint transportation commission
Introducers: C. Smith and Andrews

ORANGE
Sent to LOC GOVT

"To authorize the towns of Chapel Hill and Carrboro to establish a joint public transportation commission." Authorizes Boards of Aldermen of Chapel Hill and Carrboro to create joint public transportation commission and sets out composition and powers of comm'n, including authority to enter contracts with UNC-CH and with Chapel Hill-Carrboro school board. Provides either town may withdraw upon six months notice to other. Permits either town to submit to voters question of whether special tax (not to exceed 10¢ per \$100 valuation) is to be levied to support public transportation system.

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- S. 29 OBSCENITY ACT.(3/30, 5/14) H-PASSED 3RD READING.
S. 64 RETIREMENT OF JUDGES-STAT.,. S-PASSED 3RD READING.
S. 203 INVESTMENT OF FUNDS BY CSC.(5/14) S-PASSED 2ND & 3RD READING.
S. 212 DIVORCE COMPLAINTS.(3/10, 4/06, 5/13) H-POSTPONED TO MAY 18.
S. 368 UTILITIES COMM'N-PIPELINE SAFETY-2. S-RE-REF COM ON PUB UTIL.
S. 398 SAVINGS & LOAN ASSOC.-POWERS.(5/13) H-REC FROM SENATE; H-REF TO COM ON INSUR.
S. 433 ELECTIONS, PRIMARIES VOTING HOURS.(5/05, 5/14) H-PASSED 3RD READING.
S. 436 NO REPORT-DEER HIT BY AUTO.(5/14) S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.
S. 511 (J.RES.) NC TRANSPORTATION STUDY. S-REPTD FAV.
S. 532 LABOR MANAGERS-LICENSE TAX. S-PASSED 3RD READING.
S. 533 COMM. COLLEGE, TECH. INST. SUPPORT.(5/14) S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.
S. 536 1969 ZOO APPROPRIATION. S-PASSED 3RD READING.
S. 557 PHARMACIST GENERAL LICENSE. H-REC FROM SENATE; H-REF TO COM ON JUDIC 2.
S. 558 PHARMACIST INTERN LICENSE. H-REC FROM SENATE; H-REF TO COM ON JUDIC 2.
S. 559 PHARMACISTS TEMPORARY RECIPROCITY. H-REC FROM SENATE; H-REF TO COM ON JUDIC 2.
S. 574 REGULATING UNC UTILITIES. S-PASSED 2ND READING.
S. 575 EXTENDING UNC UTILITIES. S-PASSED 2ND & 3 READING.
S. 576 BONDS FOR UNC UTILITIES. S-PASSED 2ND READING.
H. 191 FIRE INS. STAT. OF LIMITATIONS-2.(5/14) H-PASSED 3RD READING.
H. 248 DISCOVERY OF DEBTOR'S ASSETS.(5/13) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
H. 382 TO PROVIDE STORAGE LIEN.(4/08, 4/16) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
H. 528 DRIVER POINT REDUCTION-CLINIC.(5/12) S-REC FROM HOUSE; S-REF TO COM ON HWY SAFTY.
H. 682 SUMMARY EJECTMENT IN MOBILE HOMES. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.
H. 698 BURIAL ASSOC.-12 ASSESSMENTS. H-PASSED 3RD READING.
H. 776 REMOVAL OF GRAVES.(5/05) S-PLACED ON CAL FOR MAY 18.
H. 813 TEACHERS' USE OF FORCE.(5/14) S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.

- H. 837 (J.RES.) MEMORIALIZING B.G. PARKER, JR.. S-REC FROM HOUSE;
S-REF TO COM ON RULES.
- H. 853 SERVICE ON NONRESIDENT MOTORISTS. S-REC FROM HOUSE; S-REF TO
COM ON JUDIC 1.
- H. 904 RELOCATION ASSISTANCE.(5/14) S-REC FROM HOUSE; S-REF TO COM
ON ROADS.
- H. 936 LEGISLATIVE FISCAL RESEARCH. H-POSTPONED TO MAY 19.
- H. 950 VOTING ON 18-YEAR VOTE. H-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 331 (DAVIE) SCHOOL PROPERTY TRANSFER.(5/13) S-CONCURRED IN H
AMEND.
- S. 403 (AVERY) PRIMARY ELECTIONS.(5/14) S-REC TO CONCUR IN H AMEND;
S-PLACED ON CAL FOR MAY 18.
- S. 608 (ROCKINGHAM) BOARD OF HEALTH PAY. S-REPTD FAV.
- S. 610 (WAKE) TAX SUPERVISOR AND TAX COLLECTOR. S-REPTD FAV.

- H. 456 (BLADEN) REPEAL COUNTY BONDSMEN LAW. S-REPTD FAV.
- H. 539 (NORTHAMPTON) GARYSBURG-OFFICIALS & ELECTIONS. S-REPTD UNFAV.
- H. 611 (HARNETT) SURVEYORS' REGISTRATION.(4/16) S-REPTD UNFAV.
- H. 625 (GREENE) TB DETECTION FUNDS SOLICITATION. S-REC FROM HOUSE;
S-REF TO COM ON PUB HLTH.
- H. 639 (BRUNSWICK) LELAND INCORPORATION.(5/14) H-PASSED 2ND READING.
- H. 744 (HALIFAX) HALIFAX HUNTING ON HIGHWAYS. S-PASSED 2ND & 3RD
READING.
- H. 745 (CABARRUS) KANNAPOLIS FIREMEN RETIREMENT. S-REPTD FAV.
- H. 748 (ROBESON) FAIRMONT COMM'RS' TERMS.(4/30) S-REPTD FAV.
- H. 768 (STOKES) WALNUT COVE LANDFILL. S-REPTD FAV.
- H. 770 (IREDELL) PISTOL PERMITS. S-REPTD FAV.
- H. 806 (FORSYTH, MECKLENBURG) SHERIFF'S FEES.(5/10) S-REPTD FAV.
- H. 807 (MECKLENBURG) BD. EQUALIZING AND REVIEW.(5/10) S-REPTD FAV.
- H. 815 (CABARRUS) CEMETERY TRUST FUND. S-REPTD FAV.
- H. 821 (STANLY) CREATING AIRPORT AUTHORITY.(5/10) S-REPTD FAV.
- H. 822 (MECKLENBURG) CHARLOTTE CHARTER-LIEN INTEREST. S-REPTD FAV.
- H. 857 (FORSYTH) SEDIMENT CONTROL.(5/14) S-REC FROM HOUSE; S-REF TO
COM ON AGRCULT.
- H. 898 (BEAUFORT, JONES, ONSLOW, WASHINGTON) NO BEAR HUNTING.(5/14)
S-REC FROM HOUSE; S-REF TO COM ON WILDLIFE.

The President of the Senate announced the appointment of the following members of the Joint Appropriations Committee: Allen, Alley, Bagnal, Bailey, Baugh, Church, Coggins, Folger, McLendon, Mills, Moore, Norton, Patterson, and Wood.

The next Sessions of the Senate and House 12:00 Noon, Tuesday, May 18, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
P. O. BOX 7294, RALEIGH, N. C.
27611 TEL. (919) 755-3355
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BULLETIN NO. 90

-761-

TUESDAY, MAY 18, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 631 Lexington forest fire funds
Introducer: Bowles

APPROPRIATION, GS 113
Sent to APPROPRN

"To appropriate funds to the Department of Conservation and Development for forest fire control purposes." Appropriates from General Fund to Dep't of C&D \$54,398 for fiscal 1971-2 and \$13,806 for fiscal 1972-3 to buy and operate a forest fire tractor plow unit in Lexington Forestry District. Effective July 1, 1971.

S 632 End compuls. auto liab. insur.-2 (Iden. H 981)
Introducers: Norton and others

GS 20
Sent to INSUR

"To revise Article 13 of the General Statutes of North Carolina to eliminate compulsory auto liability insurance and to regulate cancellation of auto liability policies by insurer." Identical with H 981, digested in the House section of today's Bulletin.

S 633 Auto liab. insur. revision-2 (Iden. H 982)
Introducers: North and others

GS 20
Sent to INSUR

"To amend Article 9A of Chapter 20 of the General Statutes of North Carolina relating to revising statutory 'Motor Vehicle Liability Policy.'" Identical with H 982, digested in the House section of today's Bulletin.

S 634 Transcript costs-indigents
Introducer: Reed

GS 7A
Sent to COURTS

"To authorize State payment for transcripts ordered by a judge for the benefit of an indigent person." Amends GS 7A-300(a)(8) to authorize State payment for transcripts and other records ordered to be prepared by judge for benefit of indigents, and expenses incurred in providing for adequate appellate review, including briefs of counsel, for indigents (now, authorizes State payment for briefs for counsel and transcripts and other records for adequate appellate record when appeal taken by an indigent).

S 635 Comparative negligence (Iden. H 979)
Introducer: Strickland

GS 1A
Sent to JUDIC 1

"To provide for comparative negligence verdicts." Identical to H 979, digested in the House section of today's Bulletin.

S 636 Farm land valuation-3
Introducer: Kirby

GS 105
Sent to FINANCE

"Relating to the classification, appraisal, valuation, assessment and taxation



of land actively devoted to agricultural, horticultural, forest and open space uses." Adds new GS 105-295.1 classifying land devoted to agricultural, horticultural, forest, or open space uses, as defined in act, and provides that appraisal of such land for ad valorem taxes shall be on the basis of its use as agricultural, horticultural, forest, or open space land, and no other indicia of value shall be considered. To be classified as agricultural or horticultural land, property must consist of at least five acres or have produced gross sales of agricultural or horticultural products of at least \$500 per year for each of three years in a 5-year period immediately preceding tax year for which classification is sought. To be classified as forest land, property must consist of at least 20 acres, and to be classified as open space, property must consist of at least 5 acres. Application for classification to be made to tax supervisor, who may call on board of equalization and review for advice and may also call upon advisory committee appointed by county bd. Provides for right of appeal to county bd. of equalization and review and to State Bd. of Assessment. Land given preferential classification provided for by act shall also be appraised at its fair market value and when it becomes ineligible for classification through change of use or otherwise, it shall be subject to roll-back taxes in the amount of the difference between taxes actually paid on property for current year and the three preceding years and taxes that would have been paid had land been taxed on basis of fair market value appraisal. Owner of classified land must report intent to change use to tax supervisor. Effective July 1, 1971.

HOUSE

H 976 Correcting error, SL 1971, Ch. 362
Introducer: S. Johnson

GS 157
Sent to JUDIC 1

"To correct an error in Chapter 362 of the 1971 Session Laws." Makes technical amendment as title indicates in cited Act (H 793).

H 977 Prohibiting law practice by banks
Introducers: Martin and others

GS 84
Sent to JUDIC 1

"Which will prohibit a banking corporation, authorized and licensed as a fiduciary, from the practice of law." Repeals proviso in GS 84-5 granting banking corporations certain exemptions from general prohibition of practice of law by corporations. (Now, banking corporations authorized and licensed to act in fiduciary capacity may perform clerical, accounting, financial and business acts in performance of duties as fiduciary; from performing ministerial and clerical acts in preparation of tax returns; or from discussing business and financial aspects of fiduciary relationships.) Effective July 1, 1971 but inapplicable to banking corporations appointed and qualified as fiduciary prior to that date.

H 978 Plumbing-heating contractors
Introducers: Harkins and others

GS 87
Sent to JUDIC 1

"To amend General Statutes 87, Article 2, relating to plumbing and heating contractors." Amends GS 87-16 by deleting references to "the engineering school of the Greater University of North Carolina" and "the division of public health of the Greater University of North Carolina" and inserting "the School of Engineering of North Carolina State University" and "the School of Public Health of the University of North Carolina at Chapel Hill," respectively. Amends GS 87-21(c) to delete exemption for person engaged in business in towns of less than 3,500 persons. Amends GS 87-21(d) to provide that person engaged in plumbing and heating business in an area in which the law did not previously apply shall receive license without examination upon submission of application and proof that he has been engaged in business and upon payment of license fee, but application must be submitted on or before Dec. 31, 1971. Repeals GS 87-21(f) (relating

license without examination of persons engaged in business of heating group number three). Amends GS 87-22 by deleting reference to population differential of 3,500 persons.

H 979 Comparative negligence (Iden. S 635)
Introducer: Twiggs

GS 1A
Sent to JUDIC 2

"To provide for comparative negligence verdicts." Amends GS 1A-1, Rule 8(c) and adds new GS 1A-1, Rule 43(f) to establish right to recover for comparative negligence. Provides contributory negligence shall not bar recovery by plaintiff if such negligence was not greater than causal negligence of defendant, but damages awarded shall be diminished, by general verdict, in proportion to amount of negligence attributed to plaintiff. Where recovery is against more than one defendant, each defendant shall be liable for that proportion of total dollar amount awarded as damages in the ratio of amount of his causal negligence to amount of causal negligence attributed to all defendants against whom recovery is allowed. Effective upon ratification and applies to all causes of action accruing on and after that date.

H 980 United Fund-State withholding
Introducers: Frye and others

GS 147
Sent to JUDIC 2

"To amend G.S. 147-62 relating to claims against the State." Adds new paragraph to GS 147-62 permitting State employees to authorize payroll deduction of pledge to United Way Program. Provides that act not to be construed as requiring pledge or contribution, or that payroll deduction method be used in paying any pledge.

H 981 End compuls. auto liab. insur.-2 (Iden. S 632) GS 20
Introducers: Leatherman and Rhyne

Sent to INSUR

"To revise Article 13 of the General Statutes of North Carolina to eliminate compulsory auto liability insurance and to regulate cancellation of auto liability policies by insurer." Similar to S 454, digested in Bulletin No. 70, p. 543 with following exceptions: (1) Adds requirement MV Comm'r issue registration card for vehicles under GS 20-309(f) citing vehicle as "uninsured motor vehicle", and requires Comm'r keep record of all vehicles so registered. (2) Clarifies definition of uninsured motor vehicle by adding statutory references. (3) Renames Assigned Risk Plan as North Carolina Automobile Plan. (4) Expands prohibition that no insurer may cancel or refuse to renew policy of auto liability insurance solely or primarily (now, only solely) because of age, sex, residence, race, color, creed, national origin, ancestry, marital status or lawful occupation of anyone insured, and adds or solely because another insurer cancelled a policy or refused to write or renew such policy or solely because of any combination of above factors. (5) Separates reasons for which insurer may cancel policy and reasons for refusal to renew policy. (Failure to make premium payments, suspension or revocation of driver's license for more than 30 days, and final conviction of operating vehicle while under influence of intoxicating liquor or any narcotic drug justify cancellation of policy; all other reasons cited in S 454 constitute grounds for refusal to renew). (6) Requires third moving violation be committed within 12 month (previously 24) period as one justification for refusal to renew. (7) Requires notice of cancellation or refusal to renew inform insured of his right to request in writing within 10 days of receipt of notice, hearing before Insur. Comm'r, inform him operation of motor vehicle without complying with Article is misdemeanor, and specify penalties for violation. (8) Sets out more detailed procedure to be followed in review hearing before Insur. Comm'r.

H 982 Auto liab. insur. revision-2 (Iden. S 633)
Introducers: Leatherman and Rhyne

GS 20
Sent to INSUR

"To amend Article 9A of Chapter 20 of the General Statutes of North Carolina relating to revising statutory 'Motor Vehicle Liability Policy.'" Similar to S 455, digested in Bulletin No. 70, p. 544 with the following exceptions: (1) Adds new GS 20-279.1(13) defining "accident" to include any unfortunate occurrence causing injury for which a person is liable at law. (2) Omits provision permitting insured after January 1, 1972 be offered opportunity to contract at additional premium for limits higher than those provided in GS 20-279.5. (3) Makes insurance payment for destruction of property of one person subject to \$250 deductible provision. (4) Defines motor vehicle for purpose of section to include, while upon public road: self-propelled traction engine, road roller, farm tractor, tractor crane, power shovel, or well driller. (5) Provides insurer who has made payment to any person under act's coverage is entitled to extent of payment to proceeds of any settlement or judgment resulting from recovery of insured against other person or organization and specifies duties of insured and insurer with respect to recovery suits and proceeds therefrom. (6) Permits insurer to limit its liability under coverage provided in act (a) to extent of coverage for bodily injury or property damage provided by any valid and collectible policy in effect covering an uninsured motorist who would not be uninsured except that coverage limits of said policy are less than requirements of GS 20-279.5 and insured is legally responsible for injury or damage set forth in claim against insurer by person insured under act's coverage, and (b) to extent of sums paid to insured by person legally liable for damage or injury to insured, by amounts available to him under workmen's comp., and by amount paid or payable to him under any policy of property insurance. (7) Permits reduction and set-off of claims if claim made under act and also made against person insured under property damage liability coverages of same policy because of bodily injury or property damage sustained in accident by person who is insured under policy. (8) Sets forth procedure where two or more insurance policies applicable. (9) NC Assigned Risk Bureau renamed as NC Automobile Plan.

H 983 Vocational education funds-2
Introducer: Tart

GS 115
Sent to EDUCATN

"To amend G.S. 115-240 increasing the amount of money which may be used for material for any one vocational educational project from seven thousand dollars (\$7,000) to twenty thousand dollars (\$20,000)." As title indicates. (Similar bill H 893 digested in Bulletin No. 83, p. 686.)

H 984 Handicapped children instruction
Introducer: Tart

GS 115
Sent to EDUCATN

"To amend G.S. 115-200 extending instruction for handicapped persons to children under the age of six years." As title indicates (now, statute contains no reference to a specific age).

H 985 Conform GS 115 to Constitution
Introducer: Tart

GS 115
Sent to EDUCATN

"To conform Chapter 115 of the North Carolina General Statutes to Article IX of the Constitution of North Carolina." Confirms GS Ch. 115 to the new Constitution in the following respects: (1) deletes reference to 180 school days per year; (2) replaces State Superintendent of Public Instruction with member at-large appointed by Governor on State Bd. of Education; (3) provides Superintendent of Public Instruction to be secretary and chief administrative officer of Bd. of Education (now, administrative head of public school system and Secretary of Board); (4) revokes power of Secretary of Bd. to vote on matters before Bd.; (5) provides that membership on a board of education, school committee, or advisory council is office that may be held concurrently with any other appointive office, but persons holding elective office are not eligible to serve as member of county or city board of education, school committee, or advisory council; (6) deletes reference to six-month school term in GS 115-107; and (7) makes other technical changes. Effective July 1, 1971.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

None

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 212 Divorce complaints (digested in Bulletin No. 36, p. 253; Committee Substitute digested in Bulletin No. 60, p. 445)

Amendment adopted in Senate 5/18/71 requires complaint to set forth names and ages of "minor" children only (adds quoted word to original).

S 219 Sentence credit pending appeal (Iden. H 340, digested in Bulletin No. 35, p. 246)

Committee Substitute adopted in Senate 5/18/71 provides two exceptions to provisions of bill for credit for time served: (1) when sentence is death or life imprisonment and sentence is affirmed on appeal; (2) when sentence on appeal is consecutive sentence imposed to begin at expiration of another sentence by virtue of which defendant is in custody during appeal process. Deletes requirement that officer having custody of defendant to certify to Dep't of Correction length of time in confinement pending appeal, and requirement for Dep't to compute credit and inform defendant as soon as practicable.

S 220 Sentence credit pending trial (digested in Bulletin No. 37, p. 259)

Committee substitute adopted in Senate 5/18/71 rewrites original bill. Provides term of definite sentence, or minimum and maximum term of an indeterminate sentence, shall be credited with and diminished by amount of time defendant spent in confinement prior to commencement of such sentence as result of charge that culminated in sentence. Requires credit be calculated from date custody commenced under charge, to date sentence commences. Excludes from credit any time credited to term of previously imposed sentence or any time defendant spent in mental hospital as result of having been adjudged mentally ill and incapable of pleading to charge. Directs judge upon sentencing to determine credits to which defendant entitled and directs clerk of court to transmit such information to Correction Dep't or appropriate local or county law enforcement official. Excepts from bill credit for pretrial confinement if defendant convicted and conviction affirmed on appeal of any capital crime. Applicable to all trials commenced after ratification.

S 251 Limit capital punishment, minors (digested in Bulletin No. 40, p. 285; amendment digested in Bulletin No. 87, p. 739)

Amendment adopted in Senate 5/18/71 makes bill applicable to persons under 16 (originally, 21, and amended earlier to 18) years of age.

HOUSE BILLS

H 230 House apportionment (digested in Bulletin No. 25, p. 166)

Committee Substitute adopted in House 5/18/71 makes following district alignments for NC House:

Dist. 1: Camden, Chowan, Currituck, Dare, Pasquotank, Perquimans, Tyrrell, and Washington, two representatives. Dist. 2: Beaufort and Hyde, one. Dist. 3: Craven, Jones, Lenoir, and Pamlico, three. Dist. 4: Carteret and Onslow, three. Dist. 5: Bertie, Gates, Hertford, and Northampton, two. Dist. 6: Halifax and Martin, two. Dist. 7: Edgecombe, Nash, and Wilson, four. Dist. 8: Greene and Pitt, two. Dist. 9: Wayne, two.

Dist. 10: Duplin, one. Dist. 11: Brunswick and Pender, one. Dist. 12: New Hanover, two. Dist. 13: Caswell, Granville, Person, Vance, and Warren, three. Dist. 14: Franklin and Johnston, two. Dist. 15: Wake, six. Dist. 16: Durham, three. Dist. 17: Chatham and Orange, two. Dist. 18: Harnett and Lee, two. Dist. 19: Bladen, Columbus, and Sampson, three. Dist. 20: Cumberland, five. Dist. 21: Hoke, Robeson, and Scotland, three. Dist. 22: Alamance and Rockingham, four. Dist. 23: Guilford, seven. Dist. 24: Randolph, two. Dist. 25: Moore, one. Dist. 26: Anson and Montgomery, one. Dist. 27: Richmond, one. Dist. 28: Alleghany, Ashe, Stokes, Surry and Watauga, three. Dist. 29: Forsyth, five. Dist. 30: Davidson and Davie, three. Dist. 31: Rowan, two. Dist. 32: Stanly, one. Dist. 33: Cabarrus and Union, three. Dist. 34: Caldwell, and Yadkin, three. Dist. 35: Alexander and Iredell, two. Dist. 36: Mecklenburg, eight. Dist. 37: Catawba, two. Dist. 38: Gaston and Lincoln, four. Dist. 39: Avery, Burke, and Mitchell, two. Dist. 40: Cleveland, Polk and Rutherford, three. Dist. 41: McDowell and Yancey, one. Dist. 42: Henderson, one. Dist. 43: Buncombe and Transylvania, four. Dist. 44: Haywood, Jackson, Madison, and Swain, two. Dist. 45: Cherokee, Clay, Graham and Macon, one.

H 776 Removal of graves (digested in Bulletin No. 72, p. 568; amendment digested in Bulletin No. 81, p. 667)

Amendments adopted in Senate 5/18/71 requires (1) party effecting disinterment, removal and reinterment to ensure that site be reasonably accessible to next of kin and all other relatives of decedent, and (2) requires notice of disinterment be published in local newspaper at least three times (originally, once) if decedent's next of kin is unknown.

H 780 Aid to private colleges (Iden. S 480) (digested in Bulletin No. 72, p. 565; Committee substitute digested in Bulletin No. 86, p. 727)

Amendment adopted in House 5/18/71 prohibits students being counted under both sections 1 and 2 of the bill for purpose of determining payments to institutions.

H 857 (Forsyth) Sediment control (digested in Bulletin No. 80, p. 652; amendment digested in Bulletin No. 88, p. 749)

Amendment adopted in House 5/18/71 provides for 30 days (originally, one year) notice for municipality to withdraw approval of county ordinance.

SENATE AND HOUSE

CALENDAR ACTION

MAY 18, 1971

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 29 OBSCENITY ACT.(3/30, 5/14) S-REC TO CONCUR IN H AMEND;
S-CONCURRED IN H AMEND.
- S. 53 AUTO BUMPERS.(4/29) H-REPTD FAV AS AMENDED.
- S. 64 RETIREMENT OF JUDGES-STAT.. H-REC FROM SENATE; H-REF TO COM
ON COURTS.
- S. 203 INVESTMENT OF FUNDS BY CSC.(5/14) H-REC FROM SENATE; H-REF
TO COM ON JUDIC 2.
- S. 212 DIVORCE COMPLAINTS.(3/10, 4/06, 5/13, 5/18) S-RECALLED FROM
HOUSE; S-3RD READING RECONSIDERED; S-FLOOR AMEND ADOPTED;
S-PASSED 3RD READING.
- S. 219 SENTENCE CREDIT PENDING APPEAL.(5/18) S-REPTD FAV COM
SUBSTITUTE; S-COM SUBSTITUTE ADOPTED; S-PLACED ON CAL FOR
MAY 20.
- S. 220 SENTENCE CREDIT PENDING TRIAL.(5/18) S-REPTD FAV COM
SUBSTITUTE; S-COM SUBSTITUTE ADOPTED; S-PLACED ON CAL FOR
MAY 20.
- S. 235 NORTHERN LATERAL SEAWARD BNDRY. H-REPTD FAV.
- #S. 251 LIMIT CAPITAL PUNISHMENT, MINORS.(5/13, 5/18) S-FLOOR AMEND
ADOPTED; S-TABLED.
- S. 269 SCHOLARSHIPS, POLICE DEPENDENTS. S-PLACED ON CAL FOR MAY 19.
- S. 277 LEGIS. RETIREMENT CONTRIBUTION. S-REPTD FAV AS AMENDED.
- S. 336 WORKMEN'S COMP.-SECURITY FUNDS. S-REPTD FAV.
- S. 358 UTILITIES COMM'N-PIPELINE SAFETY-1. H-REPTD FAV.
- S. 359 UTILITIES COMM'N-ATTORNEYS-1. H-REPTD FAV.
- S. 382 DISORDERLY CONDUCT. S-REPTD FAV AS AMENDED.
- #S. 413 STATE HISTORY IN PUBLIC SCHOOLS. H-TABLED.
- S. 433 ELECTIONS, PRIMARIES VOTING HOURS.(5/05, 5/14) S-REC TO
CONCUR IN H AMEND; S-PLACED ON CAL FOR MAY 19.
- S. 473 CAPITAL CRIME GUILTY PLEA. S-REPTD FAV.
- S. 487 PATROLMEN'S EQUIPMENT-DISPOSITION. H-RE-REF COM ON HY SAFTY.
- S. 501 INDUS. COMM'N EMPLOYEES' PAY. H-REPTD FAV.
- S. 511 (J.RES.) NC TRANSPORTATION STUDY. S-PASSED 2ND & 3RD READING.
- S. 519 JUVENILE'S CITIZENSHIP. S-REPTD FAV.
- S. 532 LABOR MANAGERS-LICENSE TAX. H-REC FROM SENATE; H-REF TO COM
ON FINANCE.
- S. 536 1969 ZOO APPROPRIATION. H-REC FROM SENATE; H-REF TO COM ON
APPROPRN.
- S. 542 MORTUARY TABLES. S-REPTD FAV.
- S. 551 CLARIFYING CH.218, SL 1971. S-REPTD FAV AS AMENDED.

- S. 563 RESCUE SQUAD DEATH BENEFITS. S-REPTD FAV.
- S. 572 CAUSE OF ACTION ACCRUAL. S-REPTD FAV.
- S. 574 REGULATING UNC UTILITIES. S-PASSED 3RD READING.
- S. 575 EXTENDING UNC UTILITIES. H-REC FROM SENATE; H-REF TO COM ON PUB UTIL.
- S. 576 BONDS FOR UNC UTILITIES. S-PASSED 3RD READING.
- S. 606 AREA MENTAL HEALTH PROGRAMS. S-REPTD FAV.
- S. 607 COMMIT MENTALLY ILL-INEBRIATE. S-REPTD FAV.

- H. 102 HOUSING AUTHORITY BOUNDARIES.(5/04) H-REPTD FAV.
- H. 230 HOUSE APPORTIONMENT.(5/18) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- #H. 298 ABORTION GROUNDS FOR DIVORCE. H-REPTD UNFAV.
- H. 572 EXEMPTING EMCS AND TMCS. H-REPTD FAV.
- H. 698 BURIAL ASSOC.-12 ASSESSMENTS. S-REC FROM HOUSE; S-REF TO COM ON INSUR.
- H. 699 FILLING VACANCIES-COUNTY COMM'RS. H-REPTD FAV AS AMENDED.
- #H. 740 REGISTERING GUNS,WEAPONS.(5/12) H-TABLED.
- H. 776 REMOVAL OF GRAVES.(5/05, 5/18) S-FLOOR AMENDS ADOPTED; S-PASSED 2ND READING.
- H. 780 AID TO PRIVATE COLLEGES.(5/12, 5/18) H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING.
- H. 789 CONDOMINIUM LAW DEFIN.. S-REPTD FAV.
- H. 826 DIVORCE-TRIAL WITHOUT JURY-2. H-PASSED 3RD READING.
- H. 853 SERVICE ON NONRESIDENT MOTORISTS. S-REPTD FAV.
- H. 856 NUKE POWER PLANT INS.. H-PASSED 2ND READING.
- H. 874 PROVISIONAL LICENSEE-ACCIDENT.(5/12) S-REPTD FAV.
- H. 882 REGULATING UNC UTILITIES. H-REPTD FAV.
- H. 903 INDUSTRIAL COMMISSION PROCEDURE. H-REPTD FAV AS AMENDED.
- H. 926 BARBER LAW-PENALTY CHANGE. H-REPTD FAV.
- H. 933 GRANTOR OMITTED-DEEDS. H-REPTD FAV AS AMENDED.
- H. 950 VOTING ON 18-YEAR VOTE. S-REC FROM HOUSE; S-REF TO COM ON CONSTUTN.

LOCAL BILLS

- S. 403 (AVERY) PRIMARY ELECTIONS.(5/14) S-CONCURRED IN H AMEND.
- S. 608 (ROCKINGHAM) BOARD OF HEALTH PAY. S-PASSED 2ND & 3RD READING.
- S. 610 (WAKE) TAX SUPERVISOR AND TAX COLLECTOR. S-PASSED 2ND & 3RD READING.

- H. 456 (BLADEN) REPEAL COUNTY BONDSMEN LAW. S-PASSED 2ND & 3RD READING.
- H. 639 (BRUNSWICK) LELAND INCORPORATION.(5/14) H-PASSED 3RD READING.
- H. 745 (CABARRUS) KANNAPOLIS FIREMEN RETIREMENT. S-PASSED 2ND & 3RD READING.
- H. 748 (ROBESON) FAIRMONT COMM'RS' TERMS.(4/30) S-PASSED 2ND & 3RD READING.
- H. 768 (STOKES) WALNUT COVE LANDFILL. S-PASSED 2ND READING.
- H. 770 (IREDELL) PISTOL PERMITS. S-PASSED 2ND & 3RD READING.

- H. 806 (FORSYTH, MECKLENBURG) SHERIFF'S FEES.(5/10) S-PASSED 2ND & 3RD READING.
- H. 807 (MECKLENBURG) BD. EQUALIZING AND REVIEW.(5/10) S-PASSED 2ND & 3RD READING.
- H. 815 (CABARRUS) CEMETERY TRUST FUND. S-PASSED 2ND & 3RD READING.
- H. 821 (STANLY) CREATING AIRPORT AUTHORITY.(5/10) S-PASSED 2ND READING.
- H. 822 (MECKLENBURG) CHARLOTTE CHARTER-LIEN INTEREST. S-PASSED 2ND & 3RD READING.
- H. 857 (FORSYTH) SEDIMENT CONTROL.(5/14, 5/18) S-RECALLED FROM COM; H-REC FROM SENATE; H-RECONSIDERED 3RD READING; H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING.

Next Sessions of Senate and House: 12 noon, Wednesday, May 19, 1971.

The Speaker of the House announced the appointment of the following members of the Joint Appropriations Committee: Beatty, Brown, R., Burrus, Chase, Everett, Fenner, Frye, Hardison, Holshouser, Jemison, Jernigan, R., Leatherman, Long, Mauney, Messer, Penton, Phillips, Rountree, H., Snyder, Stewart, Taylor, Watkins.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 91

-771-

WEDNESDAY, MAY 19, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 638 Auto insur. Class 260 Plan (Iden. H 1000)
Introducers: Norton and others

GS 58
Sent to INSUR

"To amend Article 25 of Chapter 58 of the General Statutes of North Carolina to provide for the establishment of private passenger rate classification by means of the 260 Plan or an appropriate modification thereof." Identical with H 1000 digested in the House section of today's Bulletin.

S 639 Balance Safe Driver Plan (Iden. H 999)
Introducers: Norton and others

GS 58
Sent to INSUR

"To amend Section 248.8 of Chapter 58 of the General Statutes of North Carolina to amend the safe driver reward plan to equalize the reward to safe drivers with the penalties imposed on unsafe drivers." Identical with H 999 digested in the House section of today's Bulletin.

S 640 Insolvent Insurer Guaranty Assoc (Iden. H 998)
Introducers: Norton and others

GS 58
Sent to INSUR

"To provide for the establishment of the North Carolina Insurance Guaranty Association; to provide funds subsequent to an insolvency by assessing licensed insurers issuing policies covered by this Act; and to require the Association to assist the Insurance Commissioner in the detection and prevention of insurer insolvencies." Identical with H 998 digested in the House section of today's Bulletin.

S 641 Bald Head development
Introducer: Frink

GS 113, 143, 146
Sent to CONS & DEV

"To encourage the development of Bald Head Island as a major resort area and to prohibit State condemnation of said island." Prohibits State from exercising right of eminent domain to condemn Bald Head Island and directs executive and administrative branches to cooperate in private development thereof, including ferry or road access. Directs Attorney General to institute legal action to determine title to island and authorizes State to contract and enter agreements with owners and developers to best protect and preserve lands owned by State and those areas which may be dedicated or set aside by private owners for use and benefit of public.

S 642 NC Indian Affairs Comm'n (Iden. H 986)
Introducer: Alley and others

GS 143
Sent to ST GOVT

"To create and establish a Commission of Indian Affairs for North Carolina." Identical with H 986 digested in the House section of today's Bulletin.



S 643 Milk Comm'n Law rewrite (Iden. H 991)
Introducers: White and others

GS 106
Sent to AGRICULT

"To rewrite the Milk Commission Law (G.S. 106-266.2 et seq.), to provide for a majority of public members on the Commission, to provide for appeals as from other State administrative agencies, and to clarify the powers and duties of the Commission." Identical with H 991 digested in the House section of today's Bulletin.

S 644 Correcting SL 1971, Ch. 363
Introducer: Bailey

GS 7A
Sent to COURTS

"To correct technical errors in Chapter 363 of the Session Laws of 1971." As title indicates, makes technical changes in previously enrolled bill S 94.

S 645 Legislative fiscal research funds
Introducers: Kirby and others

APPROPRIATION, GS 120
Sent to APPROPRIATION

"To appropriate funds for the operation of the Fiscal Research Division of the Legislative Services Commission." Appropriates from General Fund for operation of Fiscal Research Division \$250,000 for each year of 1971-73 biennium, and provides any portion of funds not spent during 1971-72 shall be available for expenditure during 1972-73. Exempts expenditure of funds from provisions of Art. 1 (executive Budget Act) and Art. 3 (Purchase and contract regulations) of GS Ch. 143. Effective July 1, 1971.

S 646 Lumbee Drama-funds (Iden. H 973)
Introducer: Britt

APPROPRIATION
Sent to APPROPRIATION

"Appropriating funds to aid with the staging of a drama based on the history of the Lumbee Indians." Identical with H 973 digested in Bulletin No. 89, p. 756.

HOUSE

H 986 NC Indian Affairs Comm'n (Iden. S 642)
Introducers: McFayden and others

GS 143
Sent to ST GOVT

"To create and establish a Commission of Indian Affairs for North Carolina." Creates NC State Commission of Indian Affairs to deal fairly and effectively with Indian affairs, to bring federal, state and local resources together for meaningful programs for Indians, and generally to provide aid and assistance to Indians in NC. Sets forth Comm'n's duties to include: study, accumulate and disseminate information on Indian affairs; investigate relief needs of Indians and provide technical assistance in preparation of plans to alleviate such needs; encourage and implement coordination of resources to meet Indian needs; review legislation affecting Indians in NC; conduct public hearings (with subpoena powers) on matters relating to Indian affairs; and make legislative recommendations and publish reports on findings and recommendations. Sets forth Comm'n membership to include: Speaker of House, Lieutenant Gov., Dir. of Dep't Social Services, Dir. of State Employment Security Comm'n, Dir. of State Bd. of Health, Dir. Dep't Cons & Dev., Comm'r of Labor, three representatives of Eastern Band of Cherokee, and 12 additional Indian members selected by tribal or community consent. (Three each from Lumbee, Haliwa, Waccamaw Siouan, and Coharie tribes.) Members representing Indian tribes serve 3-year staggered terms. Authorizes Comm'n to employ Executive director (of Indian extraction) subject to legislative appropriations. Directs Comm'n to prepare annual report to be submitted to Governor and General Assembly.

H 988 Creating Legislative Ethics Board
Introducers: Twiggs and others

STUDY, GS 143A, 120
Sent to RULES

"To create a Board of Ethics." Adds new GS Ch. 143A creating a Bd. of Ethics composed of three members elected by House Democratic delegation and three members elected by House

Republican delegation, members to serve for two years. Bd. to submit its recommendations concerning legislative ethics to 1973 House of Representatives, such recommendations to include standards of conduct for legislators, disclosure requirements for legislators, and permanent structure including powers and duties of Bd. Effective July 1, 1971.

1989 Livestock specialist funds
Introducers: Marion and others

APPROPRIATION, GS 106
Sent to APPROPRN

"Appropriating funds to the Cooperative Extension Service of North Carolina State University for a livestock specialist for the northwest area of the state." As title indicates, appropriates \$40,000 for 1971-3 for salary and expenses of livestock specialist for area composed of Alexander, Alleghany, Ashe, Caldwell, Davie, Forsyth, Stokes, Surry, Watauga, Wilkes and Yadkin Counties. Effective July 1, 1971.

1990 Civil Air Patrol license plates
Introducers: Speed and others

GS 20
Sent to ROADS

"To provide distinctive registration plates for members of the North Carolina Wing of the Civil Air Patrol." Adds new GS 20-81.5 requiring Comm'r of Motor Vehicles to produce sufficient number of license plates to furnish each member of North Carolina Wing of Civil Air Patrol with distinctive license plate for \$5.00 above normal fee for private vehicle. License to bear at top "North Carolina" and the year designation; at bottom, "Civil Air Patrol." Requires license numbers 201 through 500 to be set aside for officers, according to seniority; the senior officer issued number 201. Provides method for application for enlisted personnel, senior members, and cadets, and requires license to be turned in within 30 days if member is discharged under other than honorable conditions. Provides revenue to be placed in separate fund and, after deduction for cost of plates and handling, transferred to State Highway Comm'n.

H 991 Milk Comm'n Law rewrite (Iden. S 643)
Introducers: Speed and others

GS 106
Sent to AGRICULT

"To rewrite the Milk Commission Law (G.S. 106-266.6 et seq.), to provide for a majority of public members on the Commission, to provide for appeals as from other State Administrative agencies, and to clarify the powers and duties of the Commission." Rewrites Art. 28B of Ch. 106 making following principal changes: (1) Deletes provisions dealing with local milk boards, previously authorized to administer act in local marketing area. (2) Adds new definition of "subdistributor" as one who does not process milk but purchases its milk from licensed distributor for distribution. (3) Reduces membership of Milk Comm'n from nine to seven members specifying one must be Grade A producer whose primary interest is operating dairy farm, one a distributor or employee thereof, and five shall be members of public with no financial interest in production, processing, or distribution of milk or products derived therefrom. Eliminates Comm'r of Agriculture as member. (4) Authorizes Comm'n to employ Administrator and other staff necessary in assembling information on costs or other factors needed to carry out article's provisions. (5) Requires sums needed for operation of Comm'n be paid from special assessments collected from producers and distributors. (6) Permits Comm'n to seek aid from Comm'r of Ag, Dir. of Ag Research, Dir. Ag Extension Service and other State agencies and departments. (7) Changes provisions governing call of Comm'n's meetings, and requires principal office of Comm'n be located in Raleigh. (8) Eliminates grandfather clause in GS 106-266.8(3) granting license automatically to distributors with local health dep't. permits on April 1, 1953. (9) Sets forth revised procedure for adopting and posting regulations adopted by Comm'n in GS 106-266.8(7). (10) Deletes provision requiring Comm'n to withdraw exercise of its power from any market upon written application of majority of producers therein. (11) Sets out new procedure for fixing of prices by Comm'n. (12) Lowers maximum penalty in lieu of suspension to \$1,000 (now \$5,000). (13) Provides that Comm'n may fix minimum wholesale and retail milk prices upon investigation and finding it is in public interest. (Replaces present provision on fixing minimum prices on finding threat of demoralizing or disrupting the milk industry in an area.) (14) Omits references to local milk bds. assesments in GS 106-266.

(15) Makes provisions of Art. 33 of GS 143 (Judicial Review of Certain Administrative Agency Actions) applicable to appeals or petitions for judicial review of persons aggrieved by order of Commission. (16) Prohibits "loss leader" practice in retail sale of milk. (17) Makes revision of Milk Control Law in no way affect validity or continuity of any rule, regulation, order or action of Commission now in effect.

H 994 Transfer Hy. Patrol to Att'y Gen.
Introducers: Rogers and others

GS 114, 20
Sent to ST GOVT

"To transfer control of the State Highway Patrol to the Attorney General of North Carolina and to increase patrol pay for riot duty." Transfers control of Highway Patrol to Attorney General from Comm'r of Motor Vehicles and Governor by transferring Art. 4, of GS 20 to new Art. 5 of GS 114 and making appropriate conforming changes. Provides for hazardous duty pay for patrolmen (when on assignment in areas of impending or existing state of emergency as defined by GS 14-288.1(10)) equal to one-half regular salary to be paid from emergency and contingency fund. Provides members of patrol may, when on special assignment, wear appropriate clothing, other than their uniform (now required to wear uniform when on duty). Adds new provision permitting Attorney General to transfer members of Patrol to any other law enforcement agency under his control and supervision. Effective July 1, 1972.

H 995 Uniform water well contractor law
Introducer: Wynne

GS 87
Sent to JUDIC 1

"To amend Article 6 of Chapter 87 of the General Statutes of North Carolina, relating to water well contractors." Rewrites GS 87-81 to make violation of any provision of Art. constitute misdemeanor punishable by maximum of \$50 or 30 days. (Now, punishment left to discretion of court.) Rewrites GS 87-82 to permit any person not previously required to be licensed under Art. to submit (within 6 months after date of ratification to Bd. of Water Well Contractor Examiners) proof he was performing functions as well contractor on date of ratification and be licensed. Deletes present provisions of GS 87-82 which exempt 69 listed counties from the application of Article. Adds severability clause provision to Art.

H 996 Fraud only to avoid insurance
Introducer: Warlick

GS 58
Sent to INSUR

"To amend Section 30 of Chapter 58 of the General Statutes requiring insurers to provide policy benefits unless material misrepresentations are fraudulently made." Rewrites GS 58-30 to provide that representations in an insurance policy or application, unless material and fraudulently made with intent to deceive, will not prevent recovery under any provisions of policy. (Now, only "material or fraudulent.") Effective Oct. 1, 1971.

H 997 Drug law revision-2
Introducer: Holshouser

GS 90
Sent to JUDIC 1

"To revise the laws concerning drugs, the various illegal and dangerous drugs and drug substances." (For bill similar in many respects dealing with same subject, see H 294, digested in Bulletin No. 31, p. 210.) Rewrites Arts. 5 and 5A of GS Ch. 90 to provide for comprehensive system of regulation, control, education, and criminal penalties concerning dangerous drugs based on Uniform Controlled Substances Act of the National Conference of Comm'rs on Uniform State Laws. Definitions are generally same as those in H 294, except there is no definition of "drug dependent person." Standards for five schedules of controlled substances (dangerous drugs covered by act) and St. Bd. of Health's power to classify and reclassify such substances are same as those in H 294. Provisions for licensing and registering manufacturers, distributors, and dispensers of controlled substances are essentially same as in H 294.

For unlawful manufacture, delivery or possession with intent to manufacture or deliver a controlled substance or counterfeit substance (as defined), penalties shall

be as follows: (1) narcotic drugs in Schedule I or II (opiates, opiate derivatives, and hallucinagens, e.g. mescaline) felony-imprisonment for not more than 10 years or fine of not more than \$10,000, or both; (2) non-narcotic substances in Schedules I, II, III (III-stimulants, e.g. amphetamines) felony-imprisonment for not more than 5 years or fine of not more than \$5,000, or both; (3) substances in Schedule IV (depressants, e.g. barbital) felony-imprisonment for not more than 3 years or fine of not more than \$2,500, or both; (4) substances in Schedule V (medicinal drugs containing certain controlled substances) misdemeanor-imprisonment for not more than 1 year or fine of not more than \$1,000, or both.

For unlawful knowing or intentional possession of a controlled substance, the penalties shall be as follows: (1) narcotic drugs in Schedule I or II, felony-imprisonment for not more than 5 years or fine of \$1,000, or both; (2) non-narcotic substances in Schedules I, II, or III, misdemeanor-imprisonment for not more than 1 year or fine of not more than \$500, or both; (3) substances in Schedule IV, misdemeanor-imprisonment for not more than 1 year or fine of not more than \$250, or both; (4) substances in Schedule V, misdemeanor-imprisonment for not more than 6 months or fine of not more than \$250, or both.

Registrants licensed under act prohibited from using or dispensing any controlled substances not covered by license; also must not fail to keep any required records or make any required reports, or falsify any required information. Violation a misdemeanor; if violation found to be intentional, such violation is a felony punishable by imprisonment of not less than 1 year or more than 5 years and fine of not more than \$5,000. Any person over 18 convicted of unlawfully distributing a controlled narcotic substance in Schedule I or II to a person under 18 who is at least 3 years his junior is punishable by fine of not more than \$10,000 or imprisonment of not more than 20 years, or both; for conviction of distributing non-narcotic controlled substances in Schedules I, II, III, IV, or V to such a person, by a fine of not more than \$5,000, \$2,500, or \$1,000, respectively, or imprisonment for not more than 10 years, 6 years, or 2 years, or both. Conditional discharge provisions for first offenders are same as those in H 294. Any person convicted of a second or subsequent offense under act may be imprisoned for term of up to twice the term otherwise authorized or fined in an amount up to twice that otherwise authorized, or both. Conviction or acquittal in federal court or court of another state for offense that is also offense under act is bar to prosecution under Act.

"Continuing criminal enterprise" defined as violation of act by a person that is a felony and is a part of a continuing series of violations, which are undertaken by that person and five or more others in concert and such person occupies management position and receives substantial income therefrom. Person convicted of engaging in continuing criminal enterprise punishable by imprisonment of not less than 10 years and may be imprisoned for life, and by fine of not more than \$100,000. Sentence not subject to suspension or probation.

Attorney General given general enforcement powers under Act. NC Interagency Drug Abuse Council created consisting of chmn. appointed by Gov. from his staff, and one member each appointed from Dep't of Justice, Dep't of Mental Health, St. Bd. of Health, St. Bd. of Higher Education, Dep't of Public Instruction, and the Dep't of Correction. Council to coordinate efforts of various agencies in controlling drug abuse. Dep't of Justice authorized to cooperate with federal agencies and agencies of other states in exchanging information concerning drug abuse and in conducting joint control programs. Clerks of superior court to file with Dep't of Justice after each term of court report of persons convicted of drug offenses and persons granted conditional discharges. Medical practitioners engaged in practice or research not required to furnish names or identities of drug patients or subjects of research. Equipment and vehicles used in unlawfully manufacturing or transporting controlled substances subject to forfeiture upon court order or when seized incident to valid arrest. Provisions for education and research by St. Dep't of Public Instruction and Bd. of Higher Education essentially same as in H 294.

Practitioners and institutions holding themselves out as drug treatment facilities required to be licensed by Dep't of Mental Health. Application for license must disclose plan of operation of treatment facility and names and qualifications of all persons engaged in treatment. Before granting license, Bd. must find that applicant will make contribution toward controlling drug dependency. The name of any person receiving treatment from any practitioner, hospital, or treatment facility shall not be required to be disclosed to any law officer, court or grand jury. Practitioners and treatment facilities shall be required to make reports as required to Dep't of Mental Health, such reports to contain information as to number of persons to whom services provided, county of person's residence, age of person, number of persons treated as inpatients and outpatients, number of persons that have received previous treatment, and any other data required by director.

Pending prosecutions for drug offenses not affected by act, except that where penalty provided in act is less than prior penalty the lesser penalty shall be applied. Effective on first day after beginning of seventh month following date of enactment.

H 998	Insolvent Insurer Guaranty Assoc. (Iden. S 640)	GS 58
	Introducers: Leatherman and Rhyne	Sent to INSUR

"To provide for the establishment of the North Carolina Insurance Guaranty Association; to provide funds subsequent to an insolvency by assessing licensed insurers issuing policies covered by this Act; and to require the Association to assist the Insurance Commissioner in the detection and prevention of insurer insolvencies." Adds new Article to GS 58 known as "Insurance Guaranty Association Act" applicable to all kinds of direct insurance except life, annuities, title, surety, accident and health, credit, mortgage guaranty, ocean marine, and workmen's comp. and employer's liability. Sets forth definitions used in Act including: "covered claim" as an unpaid claim, including one of unearned premiums, arising out of, within coverage of and not in excess of applicable limits of insurance policy to which act applies, issued by insurer if such insurer becomes insolvent after effective date of act, and claimant or insured is NC resident at time of insured event, or property from which claim arises is permanently located in NC. Excludes from definition any amount due reinsurer, insurer, insurance pool, or underwriting association as subrogation recoveries. Establishes nonprofit unincorporated NC Insurance Guaranty Association to be divided into two separate accounts: automobile insurance account and all-other-insurance account to which act applies. Directs Bd. of Directors of five to nine persons be selected by member insurers subject to Insur. Comm'r's approval.

Requires Assoc. (1) be obligated to extent of covered claims existing prior to insolvency determination and arising within 30 days thereafter for such claim in excess of \$100 and less than \$3,000, providing in no event shall Association's obligation exceed amount of obligation of insolvent insurer. (2) Be deemed insurer to extent of obligation on covered claim and have all rights and obligations of insolvent insurer as if such insurer had not become insolvent. (3) Allocate claim paid and expenses incurred to accounts separately and assess member insurers separately to pay Assoc.'s obligations, assessments of each member to be in proportion that net direct written premiums of insurer for preceding calendar year on kinds of insurance in the account bears to net direct written premiums of all members for that year. (Provides assessment cannot exceed 2% of a member's net direct written premiums. Provides pro-rating procedure if assessments not sufficient in any one year and permits insurer to set off against assessment, payment made on covered claims chargeable to account for which assessment made.) (4) Investigate claims against Assoc. and adjust, compromise, settle and pay covered claims to extent of Association's obligation and deny all other claims. Empowers Assoc. to employ personnel necessary to handle claims, borrow funds, and perform other acts necessary to effectuate purposes of Act, and refund to members in proportion to contributions amount by which assets exceed liabilities of Assoc. in any year. Requires Assoc. to submit to Insur. Comm'r. (within 90 days of effective date of Act) plans for operation of Assoc., otherwise, Comm'r required to issue own rules for its operation. Requires plan to include procedures for performing all powers and duties granted under Act, for handling Assoc.'s assets, for filing claims, for appeal to Comm'r by

member insurer aggrieved by any final action of Assoc., etc. Permits delegation of operational functions to organization performing similar functions in two or more states, subject to approval of Bd. of Directors and Insur. Comm'r.

Requires Insur. Comm'r to notify Assoc. of existence of insolvent insurer within three days after notice of insolvency determination, and upon request to provide Assoc. with statement of net direct written premiums of each member insurer. Authorizes Comm'r (1) to require Assoc. give notice to insureds of insolvent insurer informing them of rights under Act; (2) to suspend or revoke after notice and hearing certificate of authority to transact insurance in NC of any member insurer who fails to pay assessment or fails to comply with plan of operation; and (3) to revoke designation of any servicing facility if he determines claims being handled unsatisfactorily.

Provides person recovering under Act is deemed to have assigned rights under policy to Assoc. to extent of recovery and requires him to cooperate with Assoc. Binds receiver, liquidator or statutory successor insolvent insurer to settlements of covered claims. Requires any person having claim against insurer under policy other than policy of insolvent insurer to exhaust first his rights under such policy, and amount payable on covered claim under Act shall be reduced by recovery amount under such other policy. Sets forth procedures to aid in prevention of insolvencies including examinations of potential insolvents. Makes Assoc. subject to general examination and regulation by Insur. Comm'r including power to terminate operation of Assoc. with respect to any kind of insurance for which he has found an adequate statutory or voluntary plan in effect. Sets forth procedure for distribution of assets upon such partial termination or for complete termination of Assoc.

H 999	Balance Safe Driver Plan (Iden. S 639)	GS 58
	Introducers: Leatherman and Rhyne	Sent to INSUR

"To amend Section 248.8 of Chapter 58 of the General Statutes of North Carolina to amend the Safe Driver Reward Plan to equalize the reward to safe drivers with the penalties imposed on unsafe drivers." Rewrites GS 58-248.8 (Rates to distinguish between safe and nonsafe drivers) to require safe driver reward plan to include provision for auto property damage and bodily injury insurance premiums differentials between classes of safe and unsafe drivers (now, such differential not required). Directs Insur. Comm'r to amend plan from time to time to balance amount of premium discount allowed to class of drivers with safe driving records with amounts realized from additional premium charges made to classes of drivers with unsafe records.

H 1000	Auto Insur. Class. 260 Plan (Iden. S 638)	GS 58
	Introducers: Leatherman and Rhyne	Sent to INSUR

"To amend Article 25 of Chapter 58 of the General Statutes of North Carolina to provide for the establishment of private passenger rate classification by means of the 260 Plan or an appropriate modification thereof." Adds new GS 58-248.9 requiring Comm'r of Insurance to establish, following public hearing, private passenger vehicle rate classifications, schedules, rules and regulations to classify drivers of such vehicles for insurance purposes. Provides Comm'r may, from time to time withdraw, modify or amend such classifications, rates, schedules, rules or regulations. Directs Comm'r in his discretion to establish 260 Plan rate classification or appropriate modification thereof.

H 1001 Gifts to minors changes
Introducers: Davis and others

GS 33
Sent to JUDIC 1

"To amend the Uniform Gifts to Minors Act to provide alternate custodians and delete bond provision." Amends GS 33-69.1 (added by Ch. 247 SL 1971) to provide for alternate custodian to serve in case custodian first named predeceases testator or refused to accept appointment as custodian. Repeals GS 33-69.1(d) thereby eliminating requirement that bond be posted when value of gift exceeds \$10,000. Effective Oct. 1, 1971.

LOCAL BILLS INTRODUCED

SENATE

S 637 Thomasville City elections
Introducer: Saunders

DAVIDSON
Sent to LOC GOVT

"To amend Chapter 4 of the Session Laws of 1963, relating to the time for filing for the Office of Mayor and members of the City Council of the City of Thomasville." Rewrites Sec. 1(D) Ch. 4, 1963 SL requiring name of each candidate for nomination be filed with City Clerk not later than 6:00 p.m. on third Tuesday preceding first Monday in May. (Now, hour of filing not specified.)

S 647 Asheville development funds
Introducers: Gudger and Crawford

BUNCOMBE
Sent to LOC GOVT

"To authorize the Board of Commissioners of Buncombe County to appropriate funds to the Asheville Agricultural Development Council." Authorizes County Comm'rs to appropriate \$20,000 (now, \$17,500) annually to above council.

HOUSE

H 987 Durham City-County Charter Comm'n
Introducers: Whichard, Royall, and Miller

DURHAM
Sent to LOC GOVT

"To create the Durham City-County Charter Commission and provide for a referendum on the consolidation of the governments of the City of Durham and Durham County." Creates Comm'n to study consolidation of city and county governments, to draft a charter for proposed consolidation and call a referendum on proposed charter. Comm'n to be appointed within 60 days of ratification of Act and call organization meeting on or before July 1, 1971. Comm'n to consist of 41 members appointed from various specified institutions and organizations, members to receive no per diem but to be reimbursed for actual expenses not to exceed \$100 in any one fiscal year. Comm'n specifically charged with providing that mayor to be chief elected official and elected directly by all voters in county; determining size of governing bd.; providing for election to bd. in equitable manner; providing for fair representation on all bds. and comm'ns; providing for equitable taxation and financing throughout consolidated area. Comm'n may employ staff and contract technical services. Comm'n to be financed by appropriations from city and county. Effective date of new government shall be set by Comm'n which shall become effective if approved in referendum on proposed charter called by Comm'n. Comm'n shall cease to exist on Aug. 15, 1973, or 60 days after establishment of new government, whichever occurs first.

H 992 Candor Comm'rs and Mayor
Introducer: Blake

MONTGOMERY
Sent to LOC GOVT

"To amend the provisions for election of the mayor and the commissioners for the town of Candor, in Montgomery County, North Carolina." Provides for election for mayor on first Monday in May, 1973, and every four years thereafter. Provides for

election of five commissioners on same date, with three candidates receiving highest vote to serve for four years, and two other elected candidates to serve term of two years. Provides that thereafter, all commissioners to serve term of four years, with elections on first Monday in May in year terms expire. Provides for election and registration procedures. Provides all persons qualified to vote for members of General Assembly who have resided 90 days within Candor be permitted to register and vote in town election.

H 993 Monroe Recreation Comm'n repeal
Introducer: Clark

UNION
Sent to LOC GOVT

"To repeal those provisions establishing the Monroe Parks and Recreation Commission in order that the City of Monroe might operate its park and recreational system under the General Statutes of North Carolina." As title indicates repeals Secs. 2,3,4,5,6,7,8,9,10, 13, and 14 of Ch. 166, 1947 SL and substitutes "City of Monroe" for "Monroe Parks and Recreation Commission" wherever words appear.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

- S 269 Scholarships, police dependents (digested in Bulletin No. 42, p. 303)
Amendment adopted in Senate 5/19/71 makes bill applicable irrespective of whether death or disability of law enforcement officer occurred before or after effective date of Act.
- S 277 Legis. retirement contributions (digested in Bulletin No. 44, p. 317)
Amendments adopted in Senate 5/19/71 make bill applicable also to elected officers of General Assembly and change effective date from Sept. 1, 1971 to Jan. 13, 1971.
- S 382 Disorderly conduct (digested in Bulletin No. 59, p. 433)
Amendment adopted in Senate 5/19/71 makes one aspect of disorderly conduct intentional use of words or gestures, etc. which are likely to provoke retaliation. (Originally needed to provoke "average person" to retaliation.)
- S 473 Capital crime guilty plea (digested in Bulletin No. 72, p. 565)
Amendment adopted in Senate 5/19/71 corrects technical error in statutory reference in bill's title.
- S 551 Clarifying Ch. 218, SL 1971 (digested in Bulletin No. 82, p. 673)
Technical amendment adopted in Senate 5/19/71.

HOUSE BILLS

- H 314 Bear killing penalty (digested in Bulletin No. 32, p. 222; amendment digested in Bulletin No. 76, p. 612)
Amendment adopted in Senate 5/19/71 permits killing of bear if bear is killing hooved domestic livestock (original bill had provision for trapping bear, but did not permit killing bear; present GS 113-126.1 permits killing bear if they are found in act of destroying, or attempting to destroy property) and increases penalty for violation from \$100/60 days to \$250/90 days.
- H 470 Auto inspection requirements (digested in Bulletin No. 47, p. 339; amendments digested in Bulletin No. 56, p. 405)
Committee substitute adopted in Senate 5/19/71 adds rear view mirror or mirrors to list of inspection items under GS 20-183.3 (original bill added both rear view mirrors and exhaust system). Requires safety inspection equipment stations to inspect exhaust systems of all vehicles inspected and report condition of system to owners or persons offering vehicles for inspection.

H 701 Taxation of banks-2 (digested in Bulletin No. 65, p. 497)

Committee Substitute adopted in House 5/19/71 makes following changes:

(1) GS 105-228.12 (bank excise tax rate) and -228.16 (computation of net income) to be repealed; (2) GS 105-228.23 and -228.24 (capital stock and excise taxes on savings and loan associations not to be repealed); (3) act to become effective for tax years beginning on and after Jan. 1, 1972 (now, 1971); and provision added that banks not to be relieved from 1972 excise tax based on 1971 net income.

SENATE AND HOUSE

CALENDAR ACTION

MAY 19, 1971

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 16 FAMILY PURPOSE BOATS.(1/29, 5/14) H-PASSED 3RD READING.
 #S. 29 OBSCENITY ACT.(3/30, 5/14) RATIFIED CH. 405.
 S. 56 INSUR. COMM'R-PROCESS AGENT.(3/09) S-REPTD FAV.
 S. 63 RETIREMENT OF JUDGES-CONST.. H-REPTD FAV.
 S. 64 RETIREMENT OF JUDGES-STAT.. H-REPTD FAV.
 S. 212 DIVORCE COMPLAINTS.(3/10, 4/06, 5/13, 5/18) H-REC TO CONCUR S AMENDS; H-CONCURRED IN S AMENDS.
 S. 264 REVOCATION OF ADOPTION CONSENT. S-REPTD FAV.
 S. 269 SCHOLARSHIPS, POLICE DEPENDENTS.(5/19) S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
 S. 277 LEGIS. RETIREMENT CONTRIBUTION.(5/19) S-COM AMENDS ADOPTED; S-PASSED 2ND & 3RD READING.
 S. 336 WORKMEN'S COMP.-SECURITY FUNDS. S-PASSED 2ND & 3RD READING.
 S. 382 DISORDERLY CONDUCT.(5/19) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
 S. 433 ELECTIONS, PRIMARIES VOTING HOURS.(5/05, 5/14) S-CONCURRED IN H AMEND.
 #S. 436 NO REPORT-DEER HIT BY AUTO.(5/14) RATIFIED CH. 400.
 S. 441 INSURER HOLDING REGISTRATION. H-REPTD FAV.
 S. 473 CAPITAL CRIME GUILTY PLEA.(5/19) S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
 #S. 485 CH. 208, SL 1971-CORRECTION. RATIFIED CH. 401.
 #S. 497 HIGHER ED.-BONDS, ASSISTANCE.(5/06) RATIFIED CH. 392.
 S. 511 (J.RES.) NC TRANSPORTATION STUDY. H-REC FROM SENATE; H-REF TO COM ON ROADS.
 S. 519 JUVENILE'S CITIZENSHIP. S-PASSED 2ND & 3RD READING.
 S. 521 LOCAL OPTION ED. UNITS. H-REPTD FAV.
 #S. 531 EMERGENCY MEDICAID FUNDS.(5/14) RATIFIED CH. 393.
 #S. 533 COMM. COLLEGE, TECH. INST. SUPPORT.(5/14) RATIFIED CH. 402.
 S. 542 MORTUARY TABLES. S-PASSED 2ND & 3RD READING.
 #S. 546 (J.RES.) MEMORIALIZING BRAY. RATIFIED RES. 70.
 S. 551 CLARIFYING CH.218, SL 1971.(5/19) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
 #S. 553 (J.RES.) HONORING RETURNING VETS.(5/12) RATIFIED RES. 67.
 #S. 561 (J.RES.) MEMORIALIZING HEATER. RATIFIED RES. 68.
 S. 563 RESCUE SQUAD DEATH BENEFITS. S-PASSED 2ND & 3RD READING.
 #S. 566 (J.RES.) UNC TRUSTEES ELECTION. RATIFIED RES. 69.
 S. 571 QUAIL PROPAGATION AND SALE-2. S-REPTD FAV AS AMENDED.
 S. 572 CAUSE OF ACTION ACCRUAL. S-PLACED ON CAL FOR MAY 20.

- S. 574 REGULATING UNC UTILITIES. H-REC FROM SENATE; H-REF TO COM ON HIGHR ED.
- S. 575 EXTENDING UNC UTILITIES. H-RECALLED FROM COM; H-RE-REF COM ON HIGHR ED.
- S. 576 BONDS FOR UNC UTILITIES. H-REC FROM SENATE; H-REF TO COM ON HIGHR ED.
- S. 585 GROUP LIFE INSUR.-MAXIMUM PAYMENT. S-REPTD FAV.
- S. 606 AREA MENTAL HEALTH PROGRAMS. S-PASSED 2ND & 3RD READING.
- S. 607 COMMIT MENTALLY ILL-INEBRIATE. S-PASSED 2ND & 3RD READING.

- H. 86 CENSURE, REMOVAL OF JUDGES. H-REPTD FAV.
- H. 87 JUDICIAL STANDARDS COMMISSION. H-REPTD FAV AS AMENDED.
- H. 88 RETIREMENT OF JUDGES-CONST.. H-REPTD FAV.
- H. 89 RETIREMENT OF JUDGES-STAT.. H-REPTD FAV.
- H. 102 HOUSING AUTHORITY BOUNDARIES.(5/04) H-PASSED 2ND READING.
- #H. 108 TAXATION OF BANKS. H-REPTD UNFAV.
- H. 126 REDEFINED 1ST SECURITY INSTRUMENT. S-REPTD FAV.
- H. 191 FIRE INS. STAT. OF LIMITATIONS-2.(5/14) S-REC FROM HOUSE; S-REF TO COM ON INSUR.
- H. 230 HOUSE APPORTIONMENT.(5/18) H-PASSED 2ND READING.
- H. 314 BEAR KILLING PENALTY.(4/28, 5/19) S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- #H. 382 TO PROVIDE STORAGE LIEN.(4/08, 4/16) RATIFIED CH. 403.
- H. 421 CUSTODIAL CHILD SUPPORT.(5/06, 5/07) S-REPTD FAV.
- H. 470 AUTO INSPECTION REQUIREMENTS.(3/31, 3/31, 5/19) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
- H. 482 REQUIRING EMISSION CONTROL DEVICE.(4/08, 4/15) S-REPTD FAV.
- H. 487 OUT-OF-STATE COSTS-MENTALLY ILL. H-RECALLED FROM COM; H-RE-REF COM ON MENTAL H.
- H. 511 WILDCAT PROTECTED. S-REPTD FAV AS AMENDED.
- H. 524 TAX-SHELTERED ANNUITIES-3. S-REPTD FAV.
- #H. 626 ABORTIONS RESIDENCY, MD REQUIREMENT.(5/11, 5/12) RATIFIED CH. 383.
- #H. 636 CHILD ADOPTION-MINOR STEPPARENT.(5/13) RATIFIED CH. 395.
- H. 701 TAXATION OF BANKS-2.(5/19) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED; H-PLACED ON CAL FOR MAY 26.
- #H. 708 SOIL-WATER CONSERVATION COMM.. RATIFIED CH. 396.
- H. 755 N.C. EMPLOYEE IN-SERVICE TRAINING. H-REPTD FAV AS AMENDED.
- H. 776 REMOVAL OF GRAVES.(5/05, 5/18) S-PLACED ON CAL FOR MAY 21.
- H. 789 CONDOMINIUM LAW DEFIN.. S-PASSED 2ND & 3RD READING.
- #H. 805 NONRESIDENT STOCK TRANSFERS. RATIFIED CH. 397.
- H. 826 DIVORCE-TRIAL WITHOUT JURY-2. S-REC FROM HOUSE; S-REF TO COM ON COURTS.
- H. 830 NC PAYMENTS TO NURSING HOMES. S-REPTD FAV.
- H. 831 DECEDENTS' ASSISTANCE CHECKS. S-REPTD FAV.
- H. 853 SERVICE ON NONRESIDENT MOTORISTS. S-PASSED 2ND & 3RD READING.
- H. 856 NUKE POWER PLANT INS.. H-PASSED 3RD READING.
- H. 862 PUBLIC SCHOOL EMPLOYEE SICK LEAVE. H-REPTD FAV.
- H. 874 PROVISIONAL LICENSEE-ACCIDENT.(5/12) S-PLACED ON CAL FOR MAY 20.
- H. 886 ADD'L SEAT OF COURT-HALIFAX. H-REPTD FAV.

- H. 897 OYSTER LEASE RENTAL REFUND. S-REPTD FAV.
- H. 900 LEG'VE APPROVAL NON-SPA SALARIES. H-REPTD FAV AS AMENDED.

LOCAL BILLS

- S. 306 (GUILFORD) BD OF EDUCATION-HIGH POINT. H-REPTD FAV.
- #S. 331 (DAVIE) SCHOOL PROPERTY TRANSFER.(5/13) RATIFIED CH. 399.
- S. 349 (SURRY) ABC STORES-DOBSON. H-REPTD FAV.
- S. 351 (SURRY) ABC STORES-MOUNT AIRY. H-REPTD FAV.
- S. 352 (SURRY) ABC STORES-PILOT MOUNTAIN. H-REPTD FAV.
- #S. 403 (AVERY) PRIMARY ELECTIONS.(5/14) RATIFIED CH. 406.
- S. 408 (POLK) 5 GALLONS LIQUOR-TRYON. H-REPTD FAV.
- S. 409 (POLK) TRYON ABC FUNDS. H-REPTD FAV.
- S. 471 (BRUNSWICK) YAUPON BEACH ABC STORES. H-REPTD FAV.
- #S. 477 (SURRY) ELKIN FIREMEN'S SUPP. BENEFIT.(5/04) RATIFIED CH. 391.
- #S. 478 (ASHE) JEFFERSON ABC STORES. H-REPTD UNFAV.
- S. 508 (COLUMBUS) WHITEVILLE COLD BEER. H-REPTD FAV.
- #S. 555 (WILSON) AMENDING SL 1971, CH. 317. RATIFIED CH. 394.
- S. 608 (ROCKINGHAM) BOARD OF HEALTH PAY. H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.
- S. 610 (WAKE) TAX SUPERVISOR AND TAX COLLECTOR. H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.
- H. 406 (BLADEN) HY. DITCH DIGGING-WHITE LAKE. H-REPTD FAV.
- #H. 456 (BLADEN) REPEAL COUNTY BONDSMEN LAW. RATIFIED CH. 407.
- H. 496 (DURHAM) TWO JUDGES, 14TH JUDICIAL DISTRICT. H-REPTD FAV; H-RE-REF COM ON APPROPN.
- H. 639 (BRUNSWICK) LELAND INCORPORATION.(5/14) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 677 (JACKSON, TRANSYLVANIA) HUNTING WILD HOGS. S-REPTD FAV.
- H. 680 (BRUNSWICK) SOUTHPORT ABC PROFITS. H-REPTD FAV.
- #H. 744 (HALIFAX) HALIFAX HUNTING ON HIGHWAYS. RATIFIED CH. 404.
- #H. 745 (CABARRUS) KANNAPOLIS FIREMEN RETIREMENT. RATIFIED CH. 408.
- #H. 748 (ROBESON) FAIRMONT COMM'RS' TERMS.(4/30) RATIFIED CH. 409.
- H. 768 (STOKES) WALNUT COVE LANDFILL. S-PASSED 3RD READING.
- #H. 770 (IREDELL) PISTOL PERMITS. RATIFIED CH. 410.
- #H. 806 (FORSYTH, MECKLENBURG) SHERIFF'S FEES.(5/10) RATIFIED CH. 411.
- #H. 807 (MECKLENBURG) BD. EQUALIZING AND REVIEW.(5/10) RATIFIED CH. 412.
- #H. 815 (CABARRUS) CEMETERY TRUST FUND. RATIFIED CH. 413.
- H. 821 (STANLY) CREATING AIRPORT AUTHORITY.(5/10) S-PASSED 3RD READING.
- #H. 822 (MECKLENBURG) CHARLOTTE CHARTER-LIEN INTEREST. RATIFIED CH. 414.
- H. 844 (HALIFAX) BD. OF EDUC. ELECTION. H-REPTD FAV AS AMENDED.
- H. 857 (FORSYTH) SEDIMENT CONTROL.(5/14, 5/18) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 945 (CUMBERLAND) CITY-COUNTY SCHOOL BOARD. H-REPTD FAV.
- #H. 951 (NEW HANOVER) SCHOOL BOARD PAY. RATIFIED CH. 398.

Next Sessions of Senate and House: 12 noon, Thursday, May 20, 1971.



DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 92

-785-

THURSDAY, MAY 20, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 648 Traffic rules-community colleges (Iden. H 1002) GS 20, 115A
Introducer: Taylor Sent to HIGHR ED

"To establish traffic regulations for all institutions within the North Carolina community college system." Identical with H 1002, digested in the House section of today's Bulletin.

S 649 (Joint Resolution) Memorializing Henkel MISC RES
Introducers: Combs and others Passed three readings
and sent to House

"Honoring the life and memory of C. V. Henkel, former member of the North Carolina Senate." As title indicates.

S 650 Distributing harmful food GS 14
Introducers: Mills and Milgrom Sent to PUB HLTH

"To amend Article 52 of Chapter 14 of the General Statutes relating to knowingly distributing certain food which contains any substance that could be injurious to a person's health." Adds new GS 14-401.11 making it unlawful for any person to knowingly distribute, sell, give away or otherwise cause to be placed in a position of human accessibility any food or eatable substance which that person knows to contain: (1) any noxious or deleterious substance which might be injurious to a person's health, (2) any barbiturate, stimulant, narcotic or hallucinogenic drug as defined in Art. 5 and 5A of Ch. 90, or (3) any poisonous chemical or foreign substance (such as razor blades) which might cause death, serious physical injury or pain and discomfort. Provides punishment as misdemeanor in discretion of court where actual or possible effect of person eating food limited to mild discomfort without any lasting effect, otherwise constitutes felony. (Where (2) above occurs, constitutes felony punishable by imprisonment for minimum 2-10 yrs; (3) above, punishable by 5-40.)

S 651 Morehead Commission powers GS 121, 143
Introducers: Bowles and others Sent to LOC GOVT

"To amend Chapter 1308 of the 1959 Session Laws of North Carolina, relating to the John Motley Morehead Memorial Commission." Rewrites sections of Ch. 1308, 1959 SL to authorize Comm'n to lease real and personal property and dispose of interests therein in addition to powers already granted. Provides when memorial has been fully restored, title to such property shall be tendered to State to be administered by Dep't of Archives and History and authorizes Dep't to accept title in name of State subject to existing covenants and agreements. (Now, no authorization for Dep't to accept.)



S 652 Tax exempt minister's residence
Introducer: Bowles

GS 105
Sent to FINANCE

"Amending G.S. 105-296 to clarify the ad valorem tax exemption provided for building owned by churches or religious bodies used for the residence of ministers." Rewrites GS 105 296(3) to make clear that tax exemption granted by Art. 16 of GS Ch. 105 applies to (1) residence of minister of any church or religious body and to (2) residence of any full-time employee of any church or religious body who is a minister and whose duties in his employment include pastoral or preaching responsibilities. (Adds item (2)).

S 653 Vehicle reciprocity agreements
Introducer: Kirby

GS 20
Sent to HY SAFTY

"To amend G.S. 20-4.4 pertaining to reciprocity agreement." Amends GS 20-4.4(a) (Authority for reciprocity agreements) to include authority for Commission of Motor Vehicles to enter into agreements or arrangements for interstate or intrastate reciprocity operations (Now, not specified.)

HOUSE

H 1002 Traffic rules-Community Colleges (Iden. S 648)
Introducers: McMichael and Webster

GS 20
Sent to EDUCATN

"To establish traffic regulations for all institutions within the North Carolina Community College System." Makes all provisions of GS 20 relating to use of highways and operation of motor vehicles thereon applicable to streets, alleys, roads and driveways on campuses of all institutions in NC Community College System, including punishments for violations of such laws. Provides act not to be construed as interfering with ownership and control of such streets etc. now vested in trustees of each individual institution. Authorizes trustees to make additional traffic rules and regulations not inconsistent with Ch. 20, including power to fix speed limits lower than those prescribed in GS 20-141. Requires all rules adopted be recorded in trustees' proceedings and copies to be filed in Office of Secretary of State. Provides person violating any such rule, upon conviction, shall be guilty of misdemeanor punishable by maximum \$50 and/or 30 days. Authorizes trustees to provide system of registration for on-campus vehicles, and to establish and administer system of citations for persons violating traffic rules, fine for each offense not to exceed \$5.

H 1003 Capital, surplus-insur. co.
Introducer: Barbee

GS 58
Sent to INSUR

"Amending General Statute 58-77(9) pertaining to the amount of capital and surplus required by insurance companies doing business within the State so as to extend to July 1, 1975, compliance with the increased capital and surplus requirements by certain companies. As title indicates makes applicable date for compliance by insurance companies July 1, 1975 (now July 1, 1971).

H 1004 Huggins tort claim
Introducers: Gentry and Haynes

APPROPRIATION, GS 97
Sent to APPROPN

"To authorize the Industrial Commission to review a certain tort claim." Directs \$18,681.47 be paid out of General Fund to Edythe Kathryn Huggins for injuries sustained in auto accident with State vehicle and not compensated fully by NC Tort Claims Act.

H 1007 Campus vehicle registration
Introducer: S. Johnson

GS 20, 116
Sent to ROADS

"To amend G.S. 116-186 relating to registration of motor vehicles regularly operated or maintained on campuses of public educational institutions." Rewrites GS 116-186 to

authorize trustees of public institutions to adopt reasonable regulations governing registration and operation on campus of the institution of motor vehicles regularly maintained or operated thereon by any persons, including students, faculty, staff, and others. (Now, limited to students.) Provides trustees may charge registration fee but deletes \$25 maximum now imposed on such fee.

H 1008 Licensing rental vehicles
Introducer: Bumgardner

GS 20
Sent to JUDIC 1

"To amend G.S. 20-84.2 relating to the manner of licensing rental vehicles." Completely rewrites GS 20-84.2, defining "rental vehicle" to include any motor vehicle which is rented or leased to another by its owner for a period of not more than 30 days solely for the transportation of the lessee or the private hauling of the lessee's personal property. Extends full reciprocity and exempts from registration fees vehicles owned or operated by nonresident engaged in business of leasing such vehicles only where: (1) owner has validly licensed all rental vehicles owned by him in state wherein owner actually resides and such state provides equal recognition to NC, and providing owner not engaged in business of leasing rental vehicles in this State, (2) owner operates vehicles as part of fleet which has validly licensed in the State a percentage of total number of vehicles in each weight classification in fleet which represents percentage of total miles travelled in state to miles travelled in all jurisdictions where fleet operates. Authorizes Comm'r of Motor Vehicles to require fleet owner to submit under oath information necessary to fairly administer this section. Requires owner to keep mileage records. Makes Comm'r's determination after hearing as to number of vehicles in each weight classification to be licensed in NC final, and permits Comm'r to deny person the right or further benefits under section until correct number of vehicles have been licensed and all taxes have been paid. Requires Comm'r to issue registration certificates and plates upon payment by owner of prescribed fee. Effective Dec. 31, 1971.

H 1009 Correcting administrators' titles
Introducers: Leatherman and others

GS 111
Sent to BLIND

"To change designations appearing in Chapter 111 of the General Statutes from 'Executive Secretary of the North Carolina Commission for the Blind' and 'Director of Public Welfare' to the correct designations of 'Executive Director of the North Carolina State Commission for the Blind' and 'Director of Social Services' respectively." As title indicates, amends appropriate parts of GS 111-16,-18, -30, and -31.

H 1010 (Joint Resolution) Inviting Governor, May 25
Introducer: Martin

MISC RES
Passed three readings and sent to Senate

"Inviting His Excellency, The Governor, to address a joint session of the Senate and House of Representatives at 12:30 p.m., May 25, 1971." As title indicates.

H 1011 (Joint Resolution) Human relations week
Introducers: Royall and others

MISC RES
Passed three readings and sent to Senate

"Supporting Human Relations Week, May 16-22, as declared by the Durham City Council." As title indicates.

H 1012 (Joint Resolution) Private child-care-funds
Introducer: Frye

APPROPRIATION, GS 108, STUDY
Sent to SOC SERV

"Directing the Department of Social Services to develop a formula for the allocation of State funds to private child-caring institutions." Directs Dep't of Soc. Serv. to develop a formula for allocation of State funds to private child-caring institutions currently receiving State grants-in-aid, taking into consideration needs of each institution and percentage of children who would otherwise be wards of State. Requires formula to be submitted to Advisory Budget Commission on or before Sept. 1, 1971. Provides that, upon approval of Advisory Budget Comm'n, formula to be circulated to private child-caring institutions now receiving grants-in-aid for consideration in budgets for years beginning July 1, 1973. Provides formula approved by Advisory Budget Comm'n to be used to appropriate State funds to all private child-caring institutions receiving grants-in-aid for years beginning July 1, 1973.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 1005 Incorporating Mesic
Introducer: Bright

PAMLICO
Sent to LOC GOVT

"To incorporate the Town of Mesic in Pamlico County." Provides for charter for incorporating Town of Mesic, giving Town usual powers of incorporated municipalities and describing town boundaries. Names first mayor and five member bd. of comm'rs, provides for subsequent election of such officers and establishes procedures for municipal elections. Provides for appointment of clerk, tax collector, accountant, and any other employees bd. deems appropriate; bd. may consolidate functions. Property within town to be subject to municipal taxes levied for fiscal 1971-2, and Pamlico Tax Supervisor directed to provide Town, upon request, with record of property in town listed for taxation as of Jan. 1, 1971.

H 1006 White Lake town boundaries
Introducer: Green

BLADEN
Sent to LOC GOVT

"To amend Chapter 511, Session Laws of 1951, to correct and re-describe the corporate limits of the Town of White Lake." As title indicates, sets forth revised description.

H 1013 County school board
Introducer: Roberson

WASHINGTON
Sent to EDUCATN

"To provide for the nomination, election and terms of office of members of the Washington County Board of Education." Authorizes five member county bd. elected on a partisan basis in same manner as members of General Assembly for staggered 4-yr. terms. Establishes four election districts: (1) Plymouth township, (2) Lees Mill township, (3) Skinnersville and Scuppernong townships, (4) all Washington county. Provides two members shall reside in district 1, one member each in districts 2 and 3, and at-large member from district 4 may reside anywhere in county. Repeals Ch. 282, 1969 SL (present local act on school board election).

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

- S 245 Interstate placement of children (digested in Bulletin No. 40, p. 283)
Committee substitute adopted in Senate 5/20/71 adds: provision for adoption of compact to govern interstate placement; definition of Gov. as "Executive Head" (who is to appoint coordinator); and authorizes Governor to appoint Compact Administrator rather than Comm'r of Social Services being Adm'or. Deletes: provisions concerning visitation rights of state agencies; \$1,000 bond requirement; and provision making violation of article misdemeanor.
- S 264 Revocation of adoption consent (digested in Bulletin No. 42, p. 302)
Technical amendment adopted in Senate 5/20/71.
- S 350 ABC election-Elkin (digested in Bulletin No. 56, p. 403)
Amendment adopted in House 5/20/71 adds provision that if any of the fund allocations are declared invalid, the funds invalidly allocated shall be paid to the Town General Fund.
- S 442 (Surry) School bond election (digested in Bulletin No. 67, p. 517)
Committee Substitute adopted in Senate 5/20/71 restricts application of bill to Mount Airy City School Administrative Unit, as defined; eliminates 8% debt limit provision; and permits interest on issued bonds to be set by county bd. of comm'rs, rather than fixing it at 6%.
- S 571 Quail propagation and sale-2 (digested in Bulletin No. 84, p. 696)
Technical amendment adopted in Senate 5/20/71.
- S 572 Cause of action accrual (digested in Bulletin No. 84, p. 696)
Amendment adopted in Senate 5/20/71 provides that a cause of action which results in injury not immediately apparent shall not be deemed to accrue until (1) the injury or damage is actually discovered or (2) death occurs, or (3) the disease, damage, or injury is diagnosed or should have reasonably been discovered, whichever event first occurs.

HOUSE BILLS

- H 293 Lessor's liens, proceeds of sale (digested in Bulletin No. 31, p. 210)
Committee substitute adopted in House 5/20/71 adds GS 44A-2(e) giving lessor of any house, room, apartment, etc. a lien on all furniture, furnishings, trade fixtures, equipment, or personal property remaining on premises 30 or more days after tenant having legal title thereto has vacated (originally 15 days). Adds to coverage of lien rent due for time up to 60 days, from vacating of premises to date of sale. (Not in original). Deletes provision that lessor may sell the property at public or private sale.
- H 422 Interstate placement of children (Iden. S 245; digested in Bulletin No. 40, p. 283)
Committee Substitute adopted in House 5/20/71 identical with Committee Substitute adopted for S 245 digested in Senate section of today's Bulletin.

H 844 (Halifax) Bd. of Educ. election (digested in Bulletin No. 79, p. 640)

Amendment adopted in House 5/20/71 clarifies expiration of term provisions and specifying Dec. 1974 expirations for Williams, Burt and Turner.

H 874 Provisional licensee-accident (digested in Bulletin No. 81, p. 665)

Amendment adopted in Senate 5/20/71 conforming title of bill to text.

SENATE AND HOUSE

CALENDAR ACTION

MAY 20, 1971

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 16 FAMILY PURPOSE BOATS.(1/29, 5/14) S-REC TO CONCUR H AMENDS;
 S-PLACED ON CAL FOR MAY 21.
 S. 56 INSUR. COMM'R-PROCESS AGENT.(3/09) S-PASSED 2ND & 3RD
 READING.
 S. 195 LIVESTOCK LAW REWRITE.(3/25) H-REPTD FAV AS AMENDED.
 S. 219 SENTENCE CREDIT PENDING APPEAL.(5/18) S-PASSED 2ND & 3RD
 READING.
 S. 220 SENTENCE CREDIT PENDING TRIAL.(5/18) S-PASSED 2ND & 3RD
 READING.
 S. 245 INTERSTATE PLACEMENT OF CHILDREN.(5/20) S-REPTD FAV COM
 SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
 #S. 264 REVOCATION OF ADOPTION CONSENT.(5/20) S-FLOOR AMEND ADOPTED;
 S-FAILED 2ND READING.
 S. 265 WELFARE GRANT REVISIONS.(5/06) H-REPTD FAV.
 S. 269 SCHOLARSHIPS, POLICE DEPENDENTS.(5/19) H-REC FROM SENATE; H-REF
 TO COM ON JUDIC 2.
 S. 289 REGULATING KERR LAKE USE. H-REPTD FAV.
 S. 336 WORKMEN'S COMP.-SECURITY FUNDS. H-REC FROM SENATE; H-REF TO
 COM ON MFR LABR.
 S. 382 DISORDERLY CONDUCT.(5/19) H-REC FROM SENATE; H-REF TO COM ON
 JUDIC 1.
 S. 385 STATE-OWNED VEHICLE-TAGS.(5/04, 5/04) H-REPTD FAV.
 S. 473 CAPITAL CRIME GUILTY PLEA.(5/19) H-REC FROM SENATE; H-REF TO
 COM ON JUDIC 1.
 S. 488 PLANT PEST CONTROL. H-REPTD FAV.
 S. 496 TEACHERS' TERM, PAY. S-REPTD FAV; S-RE-REF COM ON APPROPRN.
 S. 511 (J.RES.) NC TRANSPORTATION STUDY. H-REPTD FAV.
 S. 519 JUVENILE'S CITIZENSHIP. H-REC FROM SENATE; H-REF TO COM ON
 JUDIC 2.
 S. 542 MORTUARY TABLES. H-REC FROM SENATE; H-REF TO COM ON JUDIC 2.
 S. 551 CLARIFYING CH.218, SL 1971.(5/19) H-REC FROM SENATE; H-REF TO
 COM ON MENTAL H.
 S. 563 RESCUE SQUAD DEATH BENEFITS. H-REC FROM SENATE; H-REF TO COM
 ON JUDIC 1.
 S. 571 QUAIL PROPAGATION AND SALE-2.(5/20) S-COM AMEND ADOPTED;
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 S. 572 CAUSE OF ACTION ACCRUAL.(5/20) S-FLOOR AMEND ADOPTED; S-PLACED
 ON CAL FOR MAY 21.
 S. 581 HANDLERS OF FARM PRODUCTS. S-REPTD FAV AS AMENDED.

- S. 585 GROUP LIFE INSUR.-MAXIMUM PAYMENT. S-PASSED 2ND & 3RD READING.
- S. 606 AREA MENTAL HEALTH PROGRAMS. H-REC FROM SENATE; H-REF TO COM ON MENTAL H.
- S. 607 COMMIT MENTALLY ILL-INEBRIATE. H-REC FROM SENATE; H-REF TO COM ON MENTAL H.
- S. 617 HOSPITAL FACILITIES FINANCE ACT. S-REPTD FAV.
- S. 619 INSPECTION OF BAKERIES. S-REPTD FAV.
- S. 620 NO COLORING OF WHITE BREAD. S-REPTD FAV.
- S. 649 (J.RES.) MEMORIALIZING HENKEL. S-PASSED 2ND & 3RD READING.
- H. 91 INDECENT EXPOSURE ACT. H-REPTD FAV.
- H. 126 REDEFINED 1ST SECURITY INSTRUMENT. S-PASSED 2ND READING; S-PLACED ON CAL FOR MAY 25.
- H. 293 LESSOR'S LIENS, PROCEEDS OF SALE.(5/20) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 302 NO SEAL, DEEDS. H-REPTD FAV AS AMENDED.
- H. 314 BEAR KILLING PENALTY.(4/28, 5/19) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- #H. 333 CHARITABLE SOLICITATION LICENSES. H-REPTD UNFAV.
- H. 422 INTERSTATE PLACEMENT OF CHILDREN.(5/20) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- #H. 433 MEDICAL ASSISTANCE DEFICITS. H-REPTD UNFAV.
- H. 448 VITAL STATISTICS CHANGES.(4/13) S-REPTD FAV AS AMENDED.
- H. 484 STREET CLOSING-COUNTIES. H-REPTD FAV AS AMENDED.
- H. 687 REPEALING CHARTERS-INACTIVE TOWNS. H-REPTD FAV AS AMENDED.
- H. 727 NO LOITERING AT POLLS.(4/30, 5/13) S-PLACED ON CAL FOR MAY 24.
- H. 750 ANIMAL QUARANTINE PROCEDURES. H-REPTD FAV.
- H. 751 FEEDING GARBAGE TO SWINE. H-REPTD FAV.
- H. 782 POLL BOOK, VOTING RECORDS. H-REPTD FAV AS AMENDED.
- H. 813 TEACHERS' USE OF FORCE.(5/14) S-REPTD FAV.
- H. 856 NUKE POWER PLANT INS.. S-REC FROM HOUSE; S-REF TO COM ON INSUR.
- H. 874 PROVISIONAL LICENSEE-ACCIDENT.(5/12, 5/20) S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- H. 886 ADD'L SEAT OF COURT-HALIFAX. H-PASSED 2ND & 3RD READING.
- H. 935 PRIMARY CANDIDATE QUALIFICATIONS. H-REPTD FAV AS AMENDED.
- H. 954 AREA MENTAL HEALTH PROGRAM. H-REPTD FAV.
- H. 967 PLEDGE TO PARTY NOMINEES. H-REPTD FAV.
- H. 975 COMMIT MENTALLY ILL-INEBRIATE. H-REPTD FAV.
- H. 1010 (J.RES.) INVITING GOVERNOR, MAY 25. H-PASSED 2ND & 3RD READING.
- H. 1011 (J.RES.) HUMAN RELATIONS WEEK. H-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 306 (GUILFORD) BD OF EDUCATION-HIGH POINT. H-PASSED 2ND & 3RD READING.
- #S. 349 (SURRY) ABC STORES-DOBSON. H-POSTPONED INDEF.

- S. 350 (SURRY) ABC ELECTION-ELKIN.(5/20) H-COM AMEND ADOPTED;
H-PASSED 2ND & 3RD READING.
- S. 351 (SURRY) ABC STORES-MOUNT AIRY. H-PASSED 2ND & 3RD READING.
- S. 352 (SURRY) ABC STORES-PILOT MOUNTAIN. H-PASSED 2ND & 3RD
READING.
- S. 442 (SURRY) SCHOOL BOND ELECTION.(5/20) S-REPTD FAV COM
SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
- S. 468 (ONslow) GARBAGE FACILITIES. H-REPTD FAV.
- S. 491 (POLK) TRYON CHARTER. H-REPTD FAV.
- S. 508 (COLUMBUS) WHITEVILLE COLD BEER. H-POSTPONED TO MAY 24.
- H. 406 (BLADEN) HY. DITCH DIGGING-WHITE LAKE. H-PASSED 2ND & 3RD
READING.
- H. 541 (MOORE) GRAVEYARDS-PARKING & LITTERING. H-REPTD FAV AS
AMENDED.
- H. 613 (MECKLENBURG) HUNTERSVILLE TAX PAYMENT DISCOUNT. H-REPTD FAV
AS AMENDED.
- H. 677 (JACKSON, TRANSYLVANIA) HUNTING WILD HOGS. S-PASSED 2ND &
3RD READING.
- H. 680 (BRUNSWICK) SOUTHPORT ABC PROFITS. H-PASSED 2ND & 3RD
READING.
- H. 844 (HALIFAX) BD. OF EDUC. ELECTION.(5/20) H-COM AMEND ADOPTED;
H-PASSED 2ND & 3RD READING.
- H. 851 (CHATHAM) BD. OF ED.-PER DIEM. S-REPTD FAV.
- H. 854 (MADISON) ABOLISH INDUST. DEV. COMM'N. H-REPTD FAV.
- H. 859 (DARE) BEER AND WINE ELECTIONS. H-REPTD FAV.
- H. 861 (DARE) AIRPORT AUTHORITY. H-REPTD FAV.
- H. 877 (BLADEN) BAIL BONDSMEN. H-REPTD FAV AS AMENDED.
- H. 879 (ROCKINGHAM) MADISON CHALLENGE DAY. H-REPTD FAV AS AMENDED.
- H. 889 (ROCKINGHAM) MADISON ABC PROFITS. H-REPTD FAV.
- H. 894 (CUMBERLAND) IDENTIFICATION BUREAU ABOLISHED. H-REPTD FAV.
- H. 895 (NORTHAMPTON) CONTROL SWINE RUNNING AT LARGE. H-REPTD FAV.
- H. 899 (WASHINGTON) COUNTY GARBAGE FACILITIES. H-REPTD FAV.
- H. 901 (MARTIN) ROBERSONVILLE TOWN LIMITS. H-REPTD FAV.
- H. 905 (MOORE) PINEHURST POLICE OFFICERS. H-REPTD FAV.
- H. 907 (BUNCOMBE) ELIADA HOMES CHILDREN. H-REPTD FAV.
- H. 915 (WAKE) HOLLY SPRINGS CHARTER CHANGE. H-REPTD FAV.
- H. 917 (DUPLIN) EXTENDING AMBULANCE CRIMES LAW. H-REPTD FAV.
- H. 919 (DURHAM) SPECIAL ASSESSMENTS LAW-DURHAM. H-REPTD FAV.
- H. 923 (CHOWAN) EDENTON CHARTER REFERENDUM. H-REPTD FAV AS AMENDED.
- H. 924 (PASQUOTANK) ALBEMARLE COLLEGE FUNDING. H-REPTD FAV.
- H. 925 (PERQUIMANS) HERTFORD ELECTION LAW. H-REPTD FAV.
- H. 930 (MECKLENBURG) CORNELIUS TAX PAYMENT DISCOUNT. H-REPTD FAV AS
AMENDED.
- H. 937 (PITT) LANDFILL BY EMINENT DOMAIN. H-REPTD FAV.
- H. 945 (CUMBERLAND) CITY-COUNTY SCHOOL BOARD. H-POSTPONED TO MAY 25.

Next Session of House: 9:30 a.m., Friday, May 21, 1971.

Next Session of Senate: 10:00 a.m., Friday, May 21, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 93

-795-

FRIDAY, MAY 21, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 654 (Joint Resolution) Inviting Governor, May 25
(Iden. H 1010)
Introducer: Kirby

MISC RES
Passed three readings
and sent to House

"Inviting His Excellency, The Governor, to address a joint session of the Senate and House of Representatives at 12:30 p.m., May 25, 1971." Identical to H 1010 digested in Bulletin No. 92, p. 787.

S 655 Pork Pricing Study Comm'n
Introducers: McGeachy and others

STUDY , GS 106
Sent to AGRICULT

"To create a North Carolina Pork Pricing Study Commission." Creates 11-member comm'n to make comprehensive study of pork prices in NC and submit report of findings and recommendations to Gov. by October 15, 1972, and to General Assembly by Jan. 1, 1973. Speaker of House to appoint one member, Lieut. Gov. to appoint one member, and Gov. to appoint nine members (one a pork retailer, one a pork wholesaler, one from Dep't of Agriculture, one from NCSU, four pork producers). Comm'n members to take office on July 1, 1971, or as soon thereafter as practicable, and may make reasonable use of state personnel and facilities in conducting its study.

S 656 Off-site components approval
Introducer: McGeachy

GS 143
Sent to JUDIC 2

"Authorizing approval of structures and components manufactured off-site which are labeled by recognized testing laboratories in lieu of local inspection." Adds new GS 143-139.1 authorizing State Building Code to provide (in circumstances deemed appropriate by Building Code Council) for testing, evaluation, inspection and certification of buildings, structures or components manufactured off the site by a recognized independent testing laboratory having follow-up inspection services approved by Council. Requires such approval be evidenced by labels or seals, and all structures of components bearing such shall be deemed to meet requirements or State Building Code without further inspection or fees (except as required in connection of units, local zoning ordinances, utility connections and foundations permits). Authorizes Council to adopt and amend regulations for approval of agencies offering such testing to insure they are independent and free of potential conflicts of interest which might influence their judgment.

S 657 Building Code clarification
Introducer: McGeachy

GS 143
Sent to JUDIC 2

"Making dwellings subject to the State Building Code, and making certain clarifying amendments to Article 9 of Chapter 143 of the General Statutes." Amends GS 143-138(b) in appropriate places by inserting after word "buildings" the words



"and structures", (thereby expanding coverage of State Building Code to "structures") and deletes provision that dwellings, outbuildings, apartments, and temporary buildings shall be exempted from Code unless local governing body directs otherwise by resolution. Amends GS 143-138(e) by deleting provision that territorial coverage of local building codes may be modified by local or special act different from area of jurisdiction specified by section.

S 658 Default judgments GS 1A
 Introducer: Folger Sent to JUDIC 2

"To amend Article 7 of Chapter 1A of the General Statutes relating to default judgments." Adds new Rule 55(b)(3) to Art. 7, GS Ch. 1A providing that whenever a verified complaint has been filed in office of clerk of court and facts alleged therein are sufficient to establish claim for relief, either judge of superior or district court, clerk of court, or magistrate may enter a judgment by default final or a judgment by default and inquiry.

S 659 Criteria for secondary roads (Iden. H 1022) GS 136
 Introducers: Flaherty and others Sent to ROADS

"Pertaining to the formulation of standards and priorities for the maintenance and paving of secondary roads by the State Highway Commission and requiring the publication of and adherence to these standards." Amends GS 136-61 to require that standards and criteria adopted by Highway Comm'n for paving secondary roads include establishment of a point system to control priority of paving, which shall include and give weight to the length of time a specific road has been on the State Highway System. Standards and criteria may be revised annually and shall be published. No priority established under standards shall be waived or ignored by reason of special circumstances. Deletes last sentence of present section providing for SHC to establish policies for annual planning for secondary roads.

HOUSE

H 1014 (Joint Resolution) Commending Eden's July 4th MISC RES
 Introducers: McMichael and Webster Sent to RULES

"Commending the celebration of the Fourth of July in Eden." As title indicates.

H 1015 Election officials' pay GS 163
 Introducers: Ramsey and others Sent to ELECTION

"To amend G.S. 163-46, so as to increase the compensation for precinct registrars and judges." Rewrites GS 163-46 to provide: (1) precinct registrar be paid \$25 per day for his services on day of primary, special or general election (now, \$20 per day) and election judges be paid \$20 per day (now \$15). (Assistants' salary remains unchanged at \$15 per day.) (2) Registrars be paid \$20 and judges \$15 per day for attendance at county canvass pursuant to GS 163-173 or for attending polling place for registering voters. (3) Precinct election officials be paid \$15 for attending instructional meetings prior to primary and general elections. Deletes obsolete reference (last paragraph) to full-time registration.

H 1016 Teacher Licensing & Practices Act GS 115
 Introducers: Odom and others Sent to EDUCATN

"To be known as the 'Teacher Licensing and Practices Act'." Establishes 16-member Teacher Licensing and Practices Commission: eight classroom teachers from levels K through 6 and 7 through 12; one representative of superintendents; two representatives

of principals (one elementary, one secondary); two representatives of higher education (one from faculty, one from administration); two representatives of community college system (one from technical or adult basic education and one from college parallel programs); one representative of supervisors or directors of instruction. Provides for staggered 4-year terms, (appointment by Governor), procedure for removal, compensation for actual expenses, selection by Comm'n of Chairman and vice-chairman and other officers deemed necessary, Comm'n meetings (at least once every six months), principal office in Raleigh, and hiring of necessary staff personnel (including general counsel). Requires Governor to make appointments from list of nominees submitted by elected leadership of various divisions of NC Assoc. of Educators. Requires nominees represent racial composition of division and have been actively engaged in teaching, supervising or administering in education in State for five years preceeding appointment.

Empowers Comm'n to issue licenses of four types: basic license, advanced license, educational specialist license, and assistant license. Requires Comm'n within one year of effective date of Act to issue (and revise from time to time) rules and regulations governing minimum academic, teaching competence, and personal requirements for each class of license. Authorizes Comm'n to waive or grant exceptions from requirements in appropriate cases, pursuant to regulations. Requires holders of teaching certificate one year prior to effective date of regulations promulgated be granted license of class most nearly equivalent. Provides for reciprocal licensing of educational personnel with other states. Grants right to hearing to any person denied license by Comm'n. Authorizes Comm'n to revoke or suspend license for following grounds: (1) conviction of crime or violation of ethical standards Comm'n determines to be of nature rendering person unfit to perform educational duties (2) fraud or misrepresentation in obtaining license (3) other just and sufficient cause rendering person unfit to perform educational duties. Establishes notice and hearing and complaint procedures in suspension and revocation actions.

Makes it unlawful to teach or perform educational duties without a valid license from the Comm'n punishable by maximum six months and/or \$5,000. Authorizes Comm'n to permit unlicensed persons to practice teaching or perform educational duties if determines emergency need for such exists in specific area of State, for duration of emergency. Makes section inapplicable to temporary substitutes or volunteers providing assistance for specific occasion or limited time period.

Empowers Comm'n to investigate, study, evaluate and accredit teacher preparation institutions in accordance with rules promulgated by it. Directs Comm'n conduct proceedings in accord with act's provisions and NC Administrative Procedure Act. Grants Comm'n subpoena power, authorizes use of expert witnesses at hearings, and provides for judicial review at request of person aggrieved by final decision of Comm'n. Requires Comm'n submit biennial report to Governor and General Assembly. Amends GS 115-153 to provide State Bd. Educ fix salary for each grade and type of certificate or license (now provides for Board to have control of certification and to prescribe regulations for renewal and extension of certificates, and to determine and fix salaries for each grade and type certificate.) Appropriates \$25,000 from General Fund for support of Comm'n. Effective July 1, 1972.

H 1018 Custody, support suit-counsel fees
Introducer: J. C. Johnson

GS 50
Sent to JUDIC 1

"To provide counsel fees in actions for custody and support of minor children and in actions seeking to modify support payments for minor children, to the party having custody of the child." Amends GS 50-13.6 as title indicates (now, statute provides for allowance of counsel fees to dependent spouse with insufficient means to defray expenses of suit).

H 1019 Marriages-notaries public
Introducer: McMichael

GS 51
Sent to JUDIC 1

"To amend G.S. 51-1 to allow notaries public to perform marriages." As title indicates adds notary public of city or town to persons already permitted to perform marriages under GS 51-1.

H 1020 License taxes-campgrounds
Introducer: Green

GS 105
Sent to FINANCE

"To impose a privilege license tax upon campgrounds and trailer parks." Adds new GS 105-61.1 requiring every person engaged in business of operating any campground, trailer park, tent camping area or similar place, excluding businesses taxed under GS 105-61 (Hotels, motels, tourist courts) and advertising for transient patronage or soliciting such business to apply and secure from Revenue Comm'r annual State license for privilege of transacting such business for \$25. Prohibits counties from levying additional tax but permits cities and towns to levy license tax not in excess of one-half tax levied by State.

H 1021 Tax exempt minister's residence (Iden. S 652)
Introducer: M. Smith

GS 105
Sent to FINANCE

"Amending G.S. 105-296 to clarify the ad valorem tax exemption provided for buildings owned by churches or religious bodies used for the residence of ministers." Identical with S 652 digested in Bulletin No. 92, p. 786.

H 1022 Criteria for secondary roads (Iden. S 659)
Introducers: Kincaid and others

GS 136
Sent to ROADS

"Pertaining to the formulation of standards and priorities for the maintenance and paving of secondary roads by the State Highway Commission and requiring the publication of and adherence to these standards." Identical with S 659 digested in Senate section of today Bulletin.

H 1023 Injunction clarification
Introducer: M. Smith

GS 1
Sent to JUDIC 2

"Clarifying the right to request an injunction." Adds new paragraph to GS 1-485 (preliminary injunctions) providing that it shall be no bar to the maintenance of an action or to the issuance of any injunction or restraining order that the injury to the plaintiff is also suffered to a greater or lesser degree by others including the general public.

H 1024 Single seat legis. districts
Introducers: Beard and Warlick

CONST
Sent to CONSTUTN

"To amend the Constitution of North Carolina to provide for single seat legislative districts." Amends Art. II, Sec. 3 of NC Const. to provide for division of State into 50 senate districts, each district to elect one senator (single member provision new). Each senator shall represent as nearly as possible an equal number of inhabitants and each district

shall consist of contiguous territory. Amends Art. II, Sec. 5 of NC Const to provide for division of State into 120 representative districts, each district to elect one representative (single member provision new). Each rep. shall represent as nearly as possible an equal number of inhabitants and each district shall consist of contiguous territory. Eliminates from present constitutional provisions prohibitions against splitting a county in forming a senatorial or representative district. Districts shall be created by General Assembly at its first regular session after adoption of amendments and thereafter after the return of every decennial census. Amendments to be submitted to voters at 1972 general election.

H 1025 Usury, credit cards
Introducer: Warlick

GS 24
Sent to BANKS

"To amend the usury laws of North Carolina so as to reduce the interest permitted on credit cards and charge accounts." Amends GS 24-11(a) by reducing maximum chargeable interest on cited items from 1 1/2% per month to 5/8 of 1% per month. Effective July 1, 1971.

H 1027 License fee-chiropractor
Introducers: High and Wynne

GS 90
Sent to JUDIC 2

"Relating to the renewal of annual license fees for chiropractors." Amends GS 90-155 to require \$25 annual license renewal fee (now \$10) and \$25 fee for reissuance of cancelled license (now \$15).

H 1028 Historic districts
Introducers: C. Smith and others

GS 160
Sent to JUDIC 2

"To amend Chapter 504 of the Session Laws of 1965 relating to the establishment of historic districts to make the same statewide in its application, and to repeal certain local acts relating thereto." Provides that term "municipal governing body" or "municipal legislative body" as used in Ch. 504, SL 1965 (authorizing historic districts and comm'n's in Winston-Salem, Edenton, Bath, and Halifax and setting forth their powers and responsibilities shall be deemed to include governing bds. of counties so that counties shall have same powers of cities in establishing historic districts. Repeals Sec. 3 of Ch. 504, SL 1965, which made act applicable only to above cited 4 cities, thereby making act effective state-wide. Repeals Ch. 174, SL 1967 (including Hillsborough in Ch. 504, above), Ch. 303, SL 1967 (including Murfreesboro in Ch. 504, above), Ch. 1099, SL 1967 (including New Bern in Ch. 504, above) and Ch. 246, SL 1969 (including Wilmington in Ch. 504, above). Amends GS 160-178.1(a) by providing only planning bd. shall have responsibility to investigate and report on historic buildings (deletes similar authority of zoning comm'n). Adds new paragraph to GS 160-178.3 giving NC Dep't of Archives and History opportunity to comment upon any application from cities or counties for certificate of appropriateness in any historic district established pursuant to bill. If certificate is issued contrary to recommendations of Dep't, local historic dist. comm'n shall enter reasons therefor in the minutes of meeting at which such action is taken. Amends GS 160-178.5, requiring notice of proposed destruction of historic structures be given to historic dist. comm'n 90 days prior to date of destruction, to require notice be given 120 days before date.

H 1029 Solicitor name change
Introducer: Jones

CONSTITUTION
Sent to COURTS

"To amend Article IV of the Constitution of North Carolina, as amended effective July 1, 1971, to change the name of the Solicitor to District Attorney." Amends Sec. 18, Art. IV of NC Constitution by changing references to "Solicitor" to "District Attorney." Provides for submission of amendment to voters at general election in Nov., 1972, and, if majority of voters approve name change, amendment to take effect January 1, 1973.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 1017 Register of Deeds' salary
Introducer: Culpepper

CURRITUCK
Sent to LOC GOVT

"To place the Register of Deeds of Currituck County on a salary basis." Places Register under salary provisions of GS Ch. 153, Art. 6A (empowers county boards of commissioners to fix salaries of county employees). All fees collected by Register to be paid into County General Fund. Effective July 1, 1971.

H 1026 Obstructions, drainage ditches
Introducer: Andrews and C. Smith

CHATHAM
Sent to LOC GOVT

"To amend G.S. 77-14 as the same relates to Chatham County." Amends GS 77-14 (sets penalty for obstructing streams and drainage ditches) to make it applicable to Chatham County.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 581 Handlers of farm products (digested in Bulletin No. 85, p. 707).

Amendment adopted in Senate 5/21/71 makes act inapplicable to peanuts and corn grown under contract for seed purposes.

HOUSE BILLS

H 448 Vital statistics changes (digested in Bulletin No. 45, p. 225)

Amendment adopted in Senate 5/21/71 rewrites GS 130-63(b) to require State Registrar to furnish to each Register of Deeds requesting them certificates of birth, death and fetal death of county residents filed in county other than county of residence, except that birth certificates of children born out of wedlock shall not be forwarded. Requires certificates be forwarded within 90 days. (Original bill made similar provision only for death certificates and contained no provision as to time.)

H 511 Wildcat protected (digested in Bulletin No. 52, p. 374).
Clarifying amendment adopted in Senate 5/21/71.

H 541 (Moore) Graveyards-parking & littering (digested in Bulletin No. 56, p. 404).

Amendment adopted in House 5/21/71 (1) deletes prohibition against throwing debris in cemetery or graveyard (2) makes bill applicable in Carteret County as well as Moore, and (3) adds prohibition against riding or leading any horse in cemetery or graveyard in said counties.

H 613 (Mecklenburg) Huntersville tax payment discount (digested in Bulletin No. 61, p. 451).

Amendment adopted in House 5/21/71 makes technical changes.

H 877 (Bladen) Bail bondsmen (digested in Bulletin No. 81, p. 665).

Amendment adopted in House 5/21/71 changes effective date to July 1, 1971 (originally, effective upon ratification).

- H 879 (ROCKINGHAM) Madison challenge day (digested in Bulletin No. 81, p. 666)
Amendment adopted in House 5/21/71 clarifies statutory reference.
- H 923 (CHOWAN) Edenton Charter referendum (digested in Bulletin No. 85, p. 711)
Amendment adopted in House 5/21/71 provides that charter referendum be held at regular primary election in May, 1972 (originally, regular general election in May, 1972); and makes technical correction.
- H 930 (MECKLENBURG) Cornelius tax payment discount (digested in Bulletin No. 85, p. 712)
Amendment adopted in House 5/21/71 corrects incorrect statutory references and makes technical changes.
- H 936 Legislative fiscal research (digested in Bulletin No. 86, p. 723)
Amendment adopted in House 5/21/71 adds provisions that Director of Fiscal Research shall be responsible to Legislative Services Officer in performance of his duties and shall appoint employees after consultation with Legislative Services Officer.
- H 942 Employment Security Law changes (digested in Bulletin No. 86, p. 724)
Committee substitute adopted in House 5/21/71 makes following changes: (1) Provides that "employment" within meaning of Act shall not include student service performed after 12/31/71 (originally 12/31/61) in employ of school, college or university. (2) Adds provision that "employment" shall not include service by spouse of student if advised that this amounts to financial aid to student and that employment is not covered by unemployment insurance. (Replaces original provision that employment shall not include service by student spouse). (3) Reduces from 2.7% to 1% of taxable wages the amount of advance payments in lieu of contributions by non-profit organizations, to be effective with respect to first \$4,200 of wages paid in calendar years beginning on and after 7/1/72.

SENATE AND HOUSE

CALENDAR ACTION

MAY 21, 1971

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- #S. 56 INSUR. COMM'R-PROCESS AGENT.(3/09) RATIFIED CH. 421.
 S. 63 RETIREMENT OF JUDGES-CONST.. H-POSTPONED TO MAY 25.
 S. 64 RETIREMENT OF JUDGES-STAT.. H-POSTPONED TO MAY 25.
 #S. 212 DIVORCE COMPLAINTS.(3/10, 4/06, 5/13, 5/18) RATIFIED CH. 415.
 S. 219 SENTENCE CREDIT PENDING APPEAL.(5/18) H-REC FROM SENATE; H-REF TO COM ON JUDIC 2.
 S. 220 SENTENCE CREDIT PENDING TRIAL.(5/18) H-REC FROM SENATE; H-REF TO COM ON JUDIC 2.
 S. 245 INTERSTATE PLACEMENT OF CHILDREN.(5/20) S-PLACED ON CAL FOR MAY 24.
 S. 249 PODIATRY DEFINED. H-REPTD FAV.
 S. 277 LEGIS. RETIREMENT CONTRIBUTION.(5/19) H-REC FROM SENATE; H-REF TO COM ON RULES.
 S. 325 REPAYING SAVINGS & LOAN ASS'N. H-REPTD FAV.
 S. 356 DEER HUNTING-BERTIE & N'HAMPTON.(5/05, 5/12) H-REPTD FAV.
 S. 404 BANKS SUSPENDING BUSINESS-EMERGENCY.(5/13) H-REPTD FAV.
 #S. 433 ELECTIONS, PRIMARIES VOTING HOURS.(5/05, 5/14) RATIFIED CH. 416.
 S. 452 PROTECT THE PANTHER. H-REPTD FAV.
 S. 469 SAVINGS & LOANS-MATURITIES. H-REPTD FAV.
 S. 489 LICENSING LIVESTOCK DEALERS. S-REPTD FAV AS AMENDED.
 S. 498 IND'L REVENUE-ANTIPOLLUT. FACILS.. S-RECALLED FROM COM; S-RE-REF COM ON COURTS.
 S. 571 QUAIL PROPAGATION AND SALE-2.(5/20) H-REC FROM SENATE; H-REF TO COM ON AGRICULT.
 S. 572 CAUSE OF ACTION ACCRUAL.(5/20) S-PASSED 3RD READING.
 S. 581 HANDLERS OF FARM PRODUCTS.(5/21) S-COM AMEND ADOPTED; S-PASSED 2ND READING.
 S. 585 GROUP LIFE INSUR.-MAXIMUM PAYMENT. H-REC FROM SENATE; H-REF TO COM ON INSUR.
 S. 617 HOSPITAL FACILITIES FINANCE ACT. S-PASSED 2ND READING.
 S. 619 INSPECTION OF BAKERIES. S-PASSED 2ND & 3RD READING.
 S. 620 NO COLORING OF WHITE BREAD. S-PASSED 2ND & 3RD READING.
 S. 644 CORRECTING SL 1971, CH. 363. S-REPTD FAV.
 S. 649 (J.RES.) MEMORIALIZING HENKEL. H-REC FROM SENATE; H-PASSED 2ND & 3RD READING.
 S. 654 (J.RES.) INVITING GOVERNOR, MAY 25. S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PASSED 2ND & 3RD READING.
 H. 86 CENSURE, REMOVAL OF JUDGES. H-POSTPONED TO MAY 25.

- H. 87 JUDICIAL STANDARDS COMMISSION. H-POSTPONED TO MAY 25.
- H. 88 RETIREMENT OF JUDGES-CONST.. H-POSTPONED TO MAY 25.
- H. 89 RETIREMENT OF JUDGES-STAT.. H-POSTPONED TO MAY 25.
- H. 102 HOUSING AUTHORITY BOUNDARIES.(5/04) H-PASSED 3RD READING.
- H. 230 HOUSE APPORTIONMENT.(5/18) H-PASSED 3RD READING.
- #H. 314 BEAR KILLING PENALTY.(4/28, 5/19) RATIFIED CH. 423.
- H. 325 BANKS 5-DAY WEEK. H-REPTD FAV.
- H. 421 CUSTODIAL CHILD SUPPORT.(5/06, 5/07) S-PASSED 2ND & 3RD READING.
- H. 448 VITAL STATISTICS CHANGES.(4/13, 5/21) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- H. 470 AUTO INSPECTION REQUIREMENTS.(3/31, 3/31, 5/19) S-PASSED 2ND & 3RD READING.
- H. 482 REQUIRING EMISSION CONTROL DEVICE.(4/08, 4/15) S-PLACED ON CAL FOR MAY 26.
- H. 511 WILDCAT PROTECTED.(5/21) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- H. 524 TAX-SHELTERED ANNUITIES-3. S-PASSED 2ND & 3RD READING.
- H. 776 REMOVAL OF GRAVES.(5/05, 5/18) S-PLACED ON CAL FOR MAY 26.
- H. 780 AID TO PRIVATE COLLEGES.(5/12, 5/18) H-PASSED 3RD READING.
- #H. 789 CONDOMINIUM LAW DEFIN.. RATIFIED CH. 418.
- H. 813 TEACHERS' USE OF FORCE.(5/14) S-PASSED 2ND & 3RD READING.
- H. 830 NC PAYMENTS TO NURSING HOMES. S-PASSED 2ND & 3RD READING.
- #H. 853 SERVICE ON NONRESIDENT MOTORISTS. RATIFIED CH. 420.
- H. 855 FORESTERS REGISTRATION. H-REPTD FAV AS AMENDED.
- H. 870 HOME HEALTH AGENCIES. H-REPTD FAV.
- H. 874 PROVISIONAL LICENSEE-ACCIDENT.(5/12, 5/20) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- H. 886 ADD'L SEAT OF COURT-HALIFAX. S-REC FROM HOUSE; S-REF TO COM ON COURTS.
- H. 913 NURSE PRACTICE ACT FEES. H-REPTD FAV.
- H. 936 LEGISLATIVE FISCAL RESEARCH.(5/21) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 942 EMPLOYMENT SECURITY LAW CHANGES.(5/21) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H.1008 LICENSING RENTAL VEHICLES. H-RECALLED FROM COM; H-RE-REF COM ON ROADS.
- H.1010 (J.RES.) INVITING GOVERNOR,MAY 25. S-REC FROM HOUSE; S-REF TO COM ON RULES.
- H.1011 (J.RES.) HUMAN RELATIONS WEEK. S-REC FROM HOUSE; S-REF TO COM ON RULES; S-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 297 (DAVIDSON) THOMASVILLE ABC ELECTION. H-REPTD FAV; H-PLACED ON CAL FOR MAY 25.
- #S. 306 (GUILFORD) BD OF EDUCATION-HIGH POINT. RATIFIED CH. 422.
- S. 349 (SURRY) ABC STORES-DOBSON. H-LAST ACTION RECONSIDERED; H-PLACED ON CAL FOR MAY 24.
- S. 350 (SURRY) ABC ELECTION-ELKIN.(5/20) S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.

- S. 408 (POLK) 5 GALLONS LIQUOR-TRYON. H-PASSED 2ND & 3RD READING.
- S. 409 (POLK) TRYON ABC FUNDS. H-PASSED 2ND & 3RD READING.
- S. 442 (SURRY) SCHOOL BOND ELECTION.(5/20) S-PASSED 2ND READING.
- S. 468 (ONslow) GARBAGE FACILITIES. H-PASSED 2ND READING.
- S. 471 (BRUNSWICK) YAUPON BEACH ABC STORES. H-PASSED 2ND & 3RD READING.
- S. 491 (POLK) TRYON CHARTER. H-PASSED 2ND READING.
- S. 527 (CARTERET, ONslow) WHITE OAK RIVER BRIDGE FISHING. H-REPTD FAV.

- H. 406 (BLADEN) HY. DITCH DIGGING-WHITE LAKE. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 541 (MOORE) GRAVEYARDS-PARKING & LITTERING.(5/21) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 613 (MECKLENBURG) HUNTERSVILLE TAX PAYMENT DISCOUNT.(5/21) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- #H. 677 (JACKSON, TRANSYLVANIA) HUNTING WILD HOGS. RATIFIED CH. 424.
- H. 680 (BRUNSWICK) SOUTHPORT ABC PROFITS. S-REC FROM HOUSE; S-REF TO COM ON ABC.
- #H. 768 (STOKES) WALNUT COVE LANDFILL. RATIFIED CH. 417.
- #H. 821 (STANLY) CREATING AIRPORT AUTHORITY.(5/10) RATIFIED CH. 419.
- H. 825 (WAYNE) PIKEVILLE ELECTRIC UTILITY. S-REPTD FAV.
- H. 851 (CHATHAM) BD. OF ED.-PER DIEM. S-PASSED 2ND & 3RD READING.
- H. 854 (MADISON) ABOLISH INDUST. DEV. COMM'N. H-PASSED 2ND & 3RD READING.
- H. 859 (DARE) BEER AND WINE ELECTIONS. H-PASSED 2ND & 3RD READING.
- H. 861 (DARE) AIRPORT AUTHORITY. H-PASSED 2ND READING.
- H. 877 (BLADEN) BAIL BONDSMEN.(5/21) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 879 (ROCKINGHAM) MADISON CHALLENGE DAY.(5/21) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 889 (ROCKINGHAM) MADISON ABC PROFITS. H-PASSED 2ND & 3RD READING.
- H. 894 (CUMBERLAND) IDENTIFICATION BUREAU ABOLISHED. H-PASSED 2ND & 3RD READING.
- H. 895 (NORTHAMPTON) CONTROL SWINE RUNNING AT LARGE. H-PASSED 2ND & 3RD READING.
- H. 899 (WASHINGTON) COUNTY GARBAGE FACILITIES. H-PASSED 2ND READING.
- H. 901 (MARTIN) ROBERSONVILLE TOWN LIMITS. H-PASSED 2ND READING.
- H. 905 (MOORE) PINEHURST POLICE OFFICERS. H-PASSED 2ND & 3RD READING.
- H. 907 (BUNCOMBE) ELIADA HOMES CHILDREN. H-PASSED 2ND & 3RD READING.
- H. 915 (WAKE) HOLLY SPRINGS CHARTER CHANGE. H-PASSED 2ND & 3RD READING.
- H. 917 (DUPLIN) EXTENDING AMBULANCE CRIMES LAW. H-PASSED 2ND & 3RD READING.
- H. 919 (DURHAM) SPECIAL ASSESSMENTS LAW-DURHAM. H-PASSED 2ND & 3RD READING.
- H. 923 (CHOWAN) EDENTON CHARTER REFERENDUM.(5/21) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 924 (PASQUOTANK) ALBEMARLE COLLEGE FUNDING. H-PASSED 2ND & 3RD READING.

- H. 925 (PERQUIMANS) HERTFORD ELECTION LAW. H-PASSED 2ND & 3RD
READING.
- H. 930 (MECKLENBURG) CORNELIUS TAX PAYMENT DISCOUNT.(5/21) H-COM
AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 934 (PENDER) MORE DEER HUNTING AUTHORIZED. H-REPTD FAV.
- H. 937 (PITT) LANDFILL BY EMINENT DOMAIN. H-PASSED 2ND READING.

Next Sessions of Senate and House: 8:45 a.m., Saturday, May 22, 1971;
8:00 p.m., Monday, May 24, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
P. O. BOX 7294, RALEIGH, N. C.
27611 TEL. (919) 755-3355
(919) 829-7677

BULLETIN NO. 94

-807-

MONDAY, MAY 24, 1971

Note: The Senate and House convened at 8:45 a.m. on Saturday, May 22, 1971, for consideration of local bills only. No bills were introduced and no calendar action was taken in either Chamber.

PUBLIC BILLS INTRODUCED

SENATE

S 660 Eminent domain-court costs
Introducer: Harrington

GS 136
Sent to ROADS

"To amend G.S. 136-119 to authorize the award of cost of attorneys, appraisals and engineering to the owner in inverse condemnation actions, actions abandoned and those started without authority." Adds provisions to GS 136-119 requiring court having jurisdiction of condemnation action instituted by State Highway Comm'n to award owner of any right, title to, or interest in real property involved such sum as will reasonably reimburse him for disbursements and expenses, including attorney fees, and appraisal and engineering fees actually incurred, because of the condemnation proceedings if the final judgment is adverse to the Highway Comm'n or if the proceeding is abandoned by the Comm'n. Provides for similar reimbursement in making compensation awards and settlements under GS 136-111 (inverse condemnation). Effective January 1, 1972, but shall not affect pending litigation.

S 661 Highway Commission legal counsel
Introducer: Harrington

GS 143
Sent to ROADS

"To amend Article 31 of Chapter 143 of the General Statutes to clarify the Attorney General's duty to represent the State Highway Commission before the Industrial Commission." As title indicates, amends GS 143-295, -297, and -298.

S 662 Highway relocation assistance
Introducer: Harrington

GS 136
Sent to ROADS

"To amend Article 13 of Chapter 136 of the General Statutes to compensate owners displaced by highway construction for increased interest rate when acquiring replacement housing." Adds GS 136-162(c) that provides for Hy Comm'n to make interest payment to compensate owner for increased interest in financing replacement dwelling. Requires interest payment only if there is existing mortgage against dwelling and such mortgage was valid lien on premises for one year prior to institution of negotiations for acquisition of such property and replacement dwelling has higher rate of interest, provided interest on replacement cannot be greater than maximum interest allowed by law. Provides for value of interest payment to be difference in interest rate of original dwelling and replacement dwelling, reduced to discounted present value. Provides discount rate is maximum rate of interest permitted to be paid on savings deposits by any savings bank in NC, pursuant to rules of FDIC. Effective July 1, 1971.



S 663 Condemnation for parkways
Introducer: Harrington

GS 136
Sent to ROADS

"To amend G.S. 136-19 to permit the State Highway Commission to comply with the Relocation Assistance Federal Aid Rules in condemning land for federal parkways and to clarify jurisdiction." Amends GS 136-19 (condemnation proceedings; federal parkways) to provide that any conveyance to the U.S. Dep't of Interior of land acquired under this section shall contain a provision insuring NC shall retain concurrent jurisdiction over the areas conveyed, and authorizes Governor to grant concurrent jurisdiction to lands already conveyed to Dep't of Interior for parkways and entrances to parkways.

S 664 Abandonment of roads
Introducer: Harrington

GS 136
Sent to ROADS

"To permit the State Highway Commission to remove certain roads from the State Highway System." Amends GS 136-60 (Prohibition against abandoning roads without consent of county commissioners) to provide that the board of county commissioners shall be deemed to have consented to abandonment of a road when board fails to file a complaint under GS 136-64 within three years from time Highway Comm'n last maintained road. Applies to any road which was part of county road system pursuant to GS 136-53 which Highway Comm'n is not maintaining at time of effective date of act.

S 665 Highway district camp sites
Introducer: Harrington

GS 136
Sent to ROADS

"To repeal Sections 99, 100 and 101 of Chapter 136 of the General Statutes relating to the disposition of proceeds from insurance and the sale of highway district camp sites." Repeals GS 136-99, -100 and -101 relating to disposition by counties and highway districts of funds from selling real estate or fire insurance on buildings purchased with highway funds.

S 666 Highway right-of-way remnants
Introducer: Harrington

GS 136
Sent to ROADS

"To amend Article 2 of Chapter 136 of the General Statutes to authorize the Commission to purchase uneconomic remnants resulting from Highway Commission acquisitions." Adds provision to GS 136-19 (Acquisition of land and deposits of materials; condemnation proceedings) permitting Comm'n to offer to acquire entire property where acquisition of only part of a property would leave its owner with uneconomic remnant.

S 667 Uniform Relocation Assistance Act
Introducer: Harrington

GS 133
Sent to ROADS

"To provide for uniform relocation assistance and a uniform real property acquisition policy for state and local government agencies." Adds new Art. 2 to GS Ch. 133 to be known as the "Uniform Relocation Assistance and Real Property Acquisition Policies Act." Establishes uniform policy for fair and equitable treatment of persons displaced as result of public works programs. Defines key terms. Provides whenever acquisition of real property for program or project undertaken by State or local agency will result in displacement of any person, agency may make payment to such person, upon application as approved by agency head for: (1) actual reasonable expenses in moving himself, his family, business, farm operation or personal property, (2) actual direct losses of tangible personal property as result of moving or discontinuing business or farm operation, but not to exceed amount equal to reasonable expenses that would have been required to relocate such property as determined by relocation officer, and (3) actual reasonable expenses in searching for a

replacement business or farm. In lieu of above person may elect to receive moving expense or allowance determined according to schedule established by agency head not to exceed \$300 and dislocation allowance not to exceed \$200. Also provides election to receive fixed payment equal to average annual net earnings of business or farm operation (not less than \$2,500 nor more than \$10,000) if determined business cannot be relocated without substantial loss of existing patronage and is not part of commercial enterprise having at least one other establishment not being acquired by agency which is engaged in similar business. Prescribes procedure for determining average annual net earnings.

Permits agency to make additional payment not in excess of \$15,000 to displaced person who is displaced from dwelling owned and occupied by him for not less than 180 days prior to acquisition of property, if prescribed criteria met. Authorizes agency to make payment up to \$4,000 to displaced tenants to acquire new lease or make down payment on new dwelling. Requires relocation assistance advisory services and relocation officer be available to displaced persons and agencies cooperate and coordinate relocation activities. Empowers agency to pay for expenses incidental to transfer such as recording fees, transfer taxes, etc. Permits agencies to contract for services in connection with relocation. Authorizes agencies to adopt rules and regulations to carry out act.

Provides no payment received under act shall be considered as income for State income tax or as payment to public assistance recipient which would otherwise be deducted from his aid under Ch. 108. Nothing in act to be construed as creating in condemnation proceedings brought under power of eminent domain any element of damages not in existence on date of enactment. Payments made under act are administrative and in addition to just compensation as provided in law of eminent domain. Repeals Art. 13, GS Ch. 136 and makes act effective Jan. 1, 1972.

S 668 Highway const. contracts and bonds
. Introducer: Harrington

GS 136
Sent to ROADS

"Relating to highway construction contracts and bonds." Adds new GS 136-28.1 through -28.3. Provides that all contracts over \$10,000 that Comm'n may let shall be let to responsible bidder after public advertising under its rules and regulations, with right of rejection reserved to Comm'n; where bid \$10,000 or less, three bids to be solicited, provided that upon written determination by Hy Purchasing Officer that such solicitation is not feasible, solicitation may be waived. Deems construction and repair of ferryboats and other marine floating equipment and construction and repair of docks to be considered highway construction or repair. Upon written determination by Purchasing Officer that because of compatibility public advertising is not feasible, requirements of public advertising and solicitation of bids may be waived. Exempts from bond requirements of proposed GS 136-28.3 purchase of equipment and parts for ferry repair or construction. Deems construction and repair of highway rest areas and welcome centers to be highway construction or repair. Permits Comm'n to enter into contracts without complying with bidding requirements upon determination by Chairman of Hy Comm'n or Hy Administrator that emergency exists. Permits contracts for professional engineering services, for research and development with educational institutions and nonprofit organizations and for applied research and experimental work without soliciting bids. Authorizes Comm'n to permit power companies and governmental agencies to let contracts for construction of relocated highway when relocation is necessary because of construction of dam, provided construction is in accordance with Comm'n standards. Authorizes Comm'n to reimburse power company or governmental agency for betterments resulting from such relocation provided bidding is in accordance with Comm'n regulations and Comm'n approves such contract. Provides for Comm'n to require performance bond of contractor awarded contract exceeding \$10,000 and requires bonds to be executed by surety company authorized to do business in NC. Provides payment of bonds to be conditioned upon prompt payment of material and labor.

Permits anyone (except claimant who has direct contractual relationship with any subcontractor, but not with prime contractor, and who has not given written notice to prime contractor within 90 days from date of last furnished material or labor) who has performed labor or furnished material and who has not been paid in full within 90 days from last date of furnishing labor or material, may prosecute and recover claim in his own name. Provides no suit or action to be commenced after 6 months from date on which contractor receives final estimate and payment therefor. Provides all bonds given by contractor to Comm'n for construction and repair of highways is to be conclusively presumed to have been given in accordance with statute and statute is conclusively presumed to have been written into every such bond. Effective July 1, 1971 and applicable to those contracts for which invitation for bids issued thereafter. Repeals GS 136-28, provided such repeal not applicable to contracts and bonds to which bond provision of act does not apply.

S 669 Transit system fuel tax refunds
Introducer: Warren

GS 105
Sent to FINANCE

"To provide for a refund of taxes paid on motor fuels used in operation of city transit systems." Adds new section to GS Ch. 105 providing 8¢ per gallon gasoline tax refund for gasoline purchased for use in operation of buses for city transit system, applications for refund to be made quarterly to Comm'r of Revenue on forms provided by him and in accordance with rules and regulations adopted by him. Specifies that refunds to be only for city bus operations, and refunds to be disallowed entirely if part of requested refund covers operations other than in city transit system. Provides for Dep't of Revenue investigation of questioned claims, and for administrative review of denial of claim. Provides penalty of up to \$500 or two years for false application. Effective July 1, 1972, with July, August, and September of that year being first quarter for which refund may be sought.

S 670 Transit system franchise tax reduc.
Introducer: Warren

GS 105
Sent to FINANCE

"To reduce the franchise or privilege tax on city transit systems." Changes franchise tax liability of private corporations operating street railway or street bus systems from 1 1/2% of total gross receipts to \$25 a year. Specifically exempts those businesses from franchise taxes of GS 105-122 (on all corporations) and GS 105-123 (on new corporations). Effective June 1, 1972.

S 671 Youth Council appropriation
Introducers: Knox and Moore

APPROPRIATION, GS 143
Sent to ST GOVT

"To amend Article 29C of Chapter 143 of the General Statutes of North Carolina, relating to the establishment of a system of youth councils, to allow the appropriation of State funds for the use of the State Youth Council." Appropriates from General Fund to Dep't of Administration \$50,000 for 1971-73 biennium for salary and expenses of executive secretary of State Youth Council. Repeals GS 143-283.31 (prohibiting use of State funds for State Youth Council).

S 672 School construction bond issue (Iden. H 1037)
Introducers: Strickland and others

APPROPRIATION
Sent to APPROPRN

"To authorize the issuance of \$200,000,000 in bonds of the State to provide funds for public school facilities in the counties of the State subject to a vote of the people of the State." Identical with H 1037 digested in House section of tomorrow's Bulletin.

S 674 Occupational deafness, comp.
Introducers: Staton and others

GS 97
Sent to MFG LABR

"To amend G.S. 97-53 relating to compensation for occupational deafness."

Amends GS 97-53 to make last employer under whom employee was exposed to harmful noise for 90 days liable for entire occupational hearing loss to which employment has contributed, loss meaning permanent sensorineural loss of hearing in both ears caused by prolonged exposure to harmful noise. Deems sound of intensity less than 90 decibels incapable of producing occupational loss of hearing, and provides detailed procedure for determining pre-existing hearing losses. Provides for 150 weeks of compensation for total occupational loss in both ears, and for proportionate compensation for partial loss. Provides that regular use of employer-provided protective devices constitutes removal from exposure, with wilful failure to use devices after effective date of act being grounds for refusing compensation for that period. Sets six month's period from end of employment before claim for compensation can be made, and disallows consideration of effect of use of hearing aid. Effective July 1, 1971, and applicable only to cases in which last injurious exposure took place after that date.

S 675 Dentistry law revision (Iden. H 1042)
Introducer: Rauch

GS 90
Sent to PUB HLTH

"To amend Article 2 of Chapter 90 of the General Statutes of North Carolina relative to the practice of dentistry." Identical with H 1042, digested in the House section of tomorrow's Bulletin.

S 676 Dental hygiene law revision (Iden. H 1043)
Introducer: Rauch

GS 90
Sent to PUB HLTH

"To amend Article 16 of Chapter 90 of the General Statutes of North Carolina relative to the practice of dental hygiene." Identical with H 1043, digested in the House section of tomorrow's Bulletin.

S 677 Juvenile probation officers-app.
Introducer: Alley

GS 110
Sent to ST GOVT

"To provide for the appointment of juvenile probation officers who will not be government employees." Provides that when funds become available for the purpose, chief district judges of districts where family counselor services are unavailable may designate persons to act as juvenile probation officers who are not governmental employees, under rules of the Administrative Office of the Courts, and such persons shall have the same powers and duties as other juvenile probation officers.

S 678 Escheat penalty
Introducer: McGeachy

GS 116A
Sent to JUDIC 2

"To provide a penalty for failure to report escheated funds." Provides \$300 penalty for any person failing or refusing to make report of escheated funds as required by GS Ch. 116A and additional penalty of \$10/day for each day of default. Penalty may be recovered by State on relation of State Treasurer. Also provides for mandamus action to enforce escheat provisions. Effective July 1, 1971.

S 679 Escheat reports
Introducer: McGeachy

GS 116A
Sent to JUDIC 2

"To provide for reporting of certain funds by persons, firms and corporations for purposes of escheat." Requires certified copy of balance sheet from any person, firm or corporation having 25 or more employees be filed with State tax return indicating as separate item under "surplus": (1) all unclaimed salaries, wages and other compensation unclaimed for two years which escheat pursuant to GS 116A-7, (2) all unclaimed dividends of corporations, joint stock companies or associations unclaimed for three years which escheat pursuant to GS 116A-4, (3) all rebates and returns of overcharges and unclaimed meter deposits due by utility companies unclaimed for two years which escheat pursuant to GS 116A-7 and (4) unclaimed dividends or other distributions from associations organized under Subchapter IV or V of Ch 54 unclaimed for three years which escheat pursuant to GS 116A-7. Effective July 1, 1971. (For bill establishing escheat system under GS Ch. 116A see S 681 digested below.)

S 680 Escheat, statute of limitations
Introducer: McGeachy

GS 116A
Sent to HIGHR ED

"To provide a statute of limitations governing property which has escheated to the University of North Carolina." Establishes five-year period during which property has escheated to University of NC shall be subject to refund. Effective July 1, 1971, and applies to all funds previously escheated and to subsequent escheats excepting any funds held by University on which statute shall have run on July 1, 1971, rightful owners shall have until January 1, 1972 to make claims.

S 681 Escheat law revision
Introducer: McGeachy

GS 116, 116A
Sent to JUDIC 2

"To revise the escheat laws." Transfers GS 116-20 through -25 to new Chapter 116A and rewrites them so that escheats now go to Escheat Fund, to be administered by State Treasurer, rather than University of North Carolina. Adds new GS 116A-8 creating Escheat Fund to be maintained by State Treasurer as separate fund. Provides payment of funds to Escheat Fund to relieve anyone of further liability therefor. Provides Treasurer to deposit or invest funds in his discretion. Provides income from Escheat Fund to be distributed annually on or before July 1 as follows: (1) 80% to State colleges and universities organized under Chapter 116 according to each institution's share of full-time students enrolled for preceding semester or quarter, excluding summer sessions; (2) 10% to State Education Assistance Authority for loans to needy residents of NC enrolled in public institutions of higher education in NC; and (3) 10% to State Board of Education for loans to needy residents enrolled in community colleges in college-level work. Provides Bd. of Trustees of institutions to make terms and conditions for its loans and for State Education Assistance Authority and Bd. of Education to make terms of their loans. Changes "University of North Carolina" to "State Treasurer" in all statutes relating to escheats. Effective July 1, 1971.

S 682 Escheat-federal court
Introducer: McGeachy

GS 116A
Sent to JUDIC 2

"To provide for the escheat of unclaimed property held by Clerks of Federal Courts." Amends GS 116A-4 to include clerks of federal courts in coverage of escheat provisions concerning unclaimed personal property in hands of certain custodians. Effective July 1, 1971.

LOCAL BILLS INTRODUCED

SENATE

S 673 Wilson School Bd. election (Iden. H 1031)
Introducer: Kirby

WILSON
Sent to EDUCATN

"To provide for the nomination and election of the Wilson City Board of Education." Establishes 7 member board to serve 6 yr. staggered terms, present members' terms expire upon ratification of act and appoints Jordan and Neeland to serve until successors elected in 1972. Walston and Young until 1974, and Boswell, Cobb and Emory until 1976. Establishes nonpartisan election on same day as statewide primary in 1972 and biennially thereafter throughout Wilson City Administrative School unit. Sets compensation for Chairman of bd. at \$600 per year and members' salary at \$300 per year from and after July 1, 1971.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 489 Licensing livestock dealers (digested in Bulletin No. 75, p. 597).
Technical amendments adopted in Senate 5/24/71.

HOUSE BILLS

H 91 Indecent exposure act (Identical with S 52, digested in Bulletin No. 9, p. 54).
Amendment adopted in House 5/24/71 adds language at end of section two to exempt Johnston County.

H 302 No seal, deeds (digested in Bulletin No. 31, p. 213).
Amendment adopted in House 5/24/71 makes act effective upon ratification but not applicable to pending litigation. (Originally effective July 1, 1971).

H 899 (Washington, Wilson) County garbage facilities (digested in Bulletin No. 83, p. 687).
Amendment adopted in House 5/24/71 makes bill applicable to Wilson County as well as Washington.

H 942 Employment Security Commission (digested in Bulletin No. 86, p. 724; committee substitute digested in Bulletin No. 93, p. 801).
Amendments adopted in House 5/24/71 make technical corrections and add to types of employment exempted from act's coverage, services performed after July 1, 1957 by an individual for an employing unit as a real estate agent or salesman if compensated solely by commission.

SENATE AND HOUSE

CALENDAR ACTION

MAY 24, 1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 4 18 YEAR OLD MAJORITY. S-REPTD FAV AS AMENDED.
S. 16 FAMILY PURPOSE BOATS.(1/29, 5/14) S-PLACED ON CAL FOR MAY 26.
S. 245 INTERSTATE PLACEMENT OF CHILDREN.(5/20) S-PASSED 2ND & 3RD READING.
S. 356 DEER HUNTING-BERTIE & N'HAMPTON.(5/05, 5/12) H-PASSED 2ND & 3RD READING.
S. 489 LICENSING LIVESTOCK DEALERS.(5/24) S-COM AMENDS ADOPTED; S-PASSED 2ND READING.
S. 581 HANDLERS OF FARM PRODUCTS.(5/21) S-PASSED 3RD READING.
S. 617 HOSPITAL FACILITIES FINANCE ACT. S-PASSED 3RD READING.
S. 619 INSPECTION OF BAKERIES. H-REC FROM SENATE; H-REF TO COM ON AGRICULT.
S. 620 NO COLORING OF WHITE BREAD. H-REC FROM SENATE; H-REF TO COM ON AGRICULT.
S. 644 CORRECTING SL 1971, CH. 363. S-PASSED 2ND & 3RD READING.
#S. 649 (J.RES.) MEMORIALIZING HENKEL. RATIFIED RES. 71.
#S. 654 (J.RES.) INVITING GOVERNOR, MAY 25. RATIFIED RES. 72.
H. 91 INDECENT EXPOSURE ACT. H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING.
#H. 102 HOUSING AUTHORITY BOUNDARIES.(5/04) RATIFIED CH. 431.
H. 230 HOUSE APPORTIONMENT.(5/18) S-REC FROM HOUSE; S-REF TO COM ON GASSEMB.
H. 293 LESSOR'S LIENS, PROCEEDS OF SALE.(5/20) H-PASSED 2ND & 3RD READING.
H. 302 NO SEAL, DEEDS.(5/24) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
H. 325 BANKS 5-DAY WEEK. H-POSTPONED INDEF.
#H. 421 CUSTODIAL CHILD SUPPORT.(5/06, 5/07) RATIFIED CH. 432.
H. 422 INTERSTATE PLACEMENT OF CHILDREN.(5/20) H-PASSED 2ND READING.
H. 448 VITAL STATISTICS CHANGES.(4/13, 5/21) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
H. 470 AUTO INSPECTION REQUIREMENTS.(3/31, 3/31, 5/19) H-REC FROM SENATE; H-REF TO COM ON HY SAFETY.
H. 511 WILDCAT PROTECTED.(5/21) H-REC FROM SENATE; H-PLACED ON CAL.
#H. 524 TAX-SHELTERED ANNUITIES-3. RATIFIED CH. 433.
H. 727 NO LOITERING AT POLLS.(4/30, 5/13) S-RE-REF COM ON POLICIES.
H. 780 AID TO PRIVATE COLLEGES.(5/12, 5/18) S-REC FROM HOUSE; S-REF TO COM ON HIGHER ED.

- #H. 813 TEACHERS' USE OF FORCE.(5/14) RATIFIED CH. 434.
- #H. 830 NC PAYMENTS TO NURSING HOMES. RATIFIED CH. 435.
- H. 831 DECEDENTS' ASSISTANCE CHECKS. S-PASSED 2ND & 3RD READING.
- #H. 874 PROVISIONAL LICENSEE-ACCIDENT.(5/12, 5/20) RATIFIED CH. 437.
- H. 897 OYSTER LEASE RENTAL REFUND. S-PASSED 2ND & 3RD READING.
- H. 936 LEGISLATIVE FISCAL RESEARCH.(5/21) S-REC FROM HOUSE; S-REF TO COM ON RULES.
- H. 942 EMPLOYMENT SECURITY LAW CHANGES.(5/21) H-FLOOR AMENDS ADOPTED; H-PASSED 2ND READING.
- #H.1011 (J.RES.) HUMAN RELATIONS WEEK. RATIFIED RES.73.

LOCAL BILLS

- S. 349 (SURRY) ABC STORES-DOBSON. H-PASSED 2ND & 3RD READING.
- #S. 350 (SURRY) ABC ELECTION-ELKIN.(5/20) RATIFIED CH. 425.
- #S. 351 (SURRY) ABC STORES-MOUNT AIRY. RATIFIED CH. 426.
- #S. 352 (SURRY) ABC STORES-PILOT MOUNTAIN. RATIFIED CH. 427.
- #S. 408 (POLK) 5 GALLONS LIQUOR-TRYON. RATIFIED CH. 428.
- #S. 409 (POLK) TRYON ABC FUNDS. RATIFIED CH. 429.
- S. 442 (SURRY) SCHOOL BOND ELECTION.(5/20) S-PASSED 3RD READING.
- S. 468 (ONslow) GARBAGE FACILITIES. H-PASSED 3RD READING.
- #S. 471 (BRUNSWICK) YAUPON BEACH ABC STORES. RATIFIED CH. 430.
- S. 491 (POLK) TRYON CHARTER. H-PASSED 3RD READING.
- S. 508 (COLUMBUS) WHITEVILLE COLD BEER. H-PASSED 2ND & 3RD READING.
- S. 527 (CARTERET, ONslow) WHITE OAK RIVER BRIDGE FISHING. H-PASSED 2ND & 3RD READING.

- H. 613 (MECKLENBURG) HUNTERSVILLE TAX PAYMENT DISCOUNT.(5/21) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 825 (WAYNE) PIKEVILLE ELECTRIC UTILITY. S-PASSED 2ND & 3RD READING.
- #H. 851 (CHATHAM) BD. OF ED.-PER DIEM. RATIFIED CH. 436.
- H. 854 (MADISON) ABOLISH INDUST. DEV. COMM'N. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 859 (DARE) BEER AND WINE ELECTIONS. S-REC FROM HOUSE; S-REF TO COM ON ABC.
- H. 861 (DARE) AIRPORT AUTHORITY. H-PASSED 3RD READING.
- H. 879 (ROCKINGHAM) MADISON CHALLENGE DAY.(5/21) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 889 (ROCKINGHAM) MADISON ABC PROFITS. S-REC FROM HOUSE; S-REF TO COM ON ABC.
- H. 894 (CUMBERLAND) IDENTIFICATION BUREAU ABOLISHED. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 895 (NORTHAMPTON) CONTROL SWINE RUNNING AT LARGE. S-REC FROM HOUSE; S-REF TO COM ON AGRIC.
- H. 899 (WASHINGTON) COUNTY GARBAGE FACILITIES.(5/24) H-FLOOR AMEND ADOPTED.
- H. 901 (MARTIN) ROBERSONVILLE TOWN LIMITS. H-PASSED 3RD READING.
- H. 905 (MOORE) PINEHURST POLICE OFFICERS. S-REC FROM HOUSE; S-REF TO COM ON CORRECTN.

- H. 907 (BUNCOMBE) ELIADA HOMES CHILDREN. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 915 (WAKE) HOLLY SPRINGS CHARTER CHANGE. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 917 (DUPLIN) EXTENDING AMBULANCE CRIMES LAW. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 919 (DURHAM) SPECIAL ASSESSMENTS LAW-DURHAM. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 924 (PASQUOTANK) ALBEMARLE COLLEGE FUNDING. S-REC FROM HOUSE; S-REF TO COM ON HIGHER ED.
- H. 925 (PERQUIMANS) HERTFORD ELECTION LAW. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 934 (PENDER) MORE DEER HUNTING AUTHORIZED. H-POSTPONED TO MAY 31.
- H. 937 (PITT) LANDFILL BY EMINENT DOMAIN. H-PASSED 3RD READING.

Nest Sessions of Senate and House: 12:00 noon, Tuesday, May 25, 1971.



DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 95

-819-

TUESDAY, MAY 25, 1971

NOTE: Because of the lateness of the Monday night session and a large volume of introductions, yesterday's Bulletin (Bulletin No. 94) contained digests only for bills introduced in the Senate. Today's Bulletin begins with digests of the remainder of the bills introduced yesterday.

PUBLIC BILLS INTRODUCED

MONDAY, MAY 24

(Carried over from Bulletin No. 94)

SENATE

See Bulletin No. 94

HOUSE

H 1032 Morehead Commission powers (Iden. S 651) GS 121, 143
Introducers: Phillips and others Sent to LOC GOVT

"To amend Chapter 1308 of the 1969 Session Laws of North Carolina, relating to the John Motley Morehead Memorial Commission." Identical with S 651 digested in Bulletin No. 92, p. 785.

H 1033 Drug abuser centers GS 122
Introducers: Barker and Beatty Sent to MENTAL H

"To authorize the establishment of certain drug abuser rehabilitation and evaluation centers in the Department of Mental Health." Authorizes establishment and operation at Broughton Hospital of a Center for the Evaluation, Treatment and Rehabilitation of Drug Abusers to determine type and extent of drug abuse of patients, to set up treatment program, to conduct research, and to provide cooperative efforts with other agencies. Places Center under supervision and control of Superintendent of Broughton Hospital, authorizing him to establish rules and regulations for its operation. Authorizes evaluation centers for drug abusers at Cherry, Dorothea Dix, and John Umstead hospitals. Makes no appropriation but authorizes Center at Broughton to apply for and receive grants and to accept gifts, and states intent that Center receive first priority in future allocation of Dep't of Mental Health funds for drug abuser evaluation purposes. Effective July 1, 1971.

H 1034 Husband-wife contracts GS 52
Introducer: Short Sent to JUDIC 2

"Which will extend the validity period of any contract between a husband and wife according to the provisions of G.S. 52-6, made without the private examination of the wife, to January 1, 1971." Amends GS 52-6 as title indicates (now, validity date is June 20, 1963).



H 1036 Diseased animals running at large
Introducer: Speed

AGRICULT, GS L06
Sent to AGRICULT

"To provide for the control of diseased animals found running at large."
Adds new GS 106-307.7 authorizing State Veterinarian to direct sheriff or other officer to destroy livestock that is running at large and is infected with contagious or infectious disease and cannot be captured with exercise of reasonable diligence.

H 1037 School construction bond issue (Iden. S 672)
Introducers: Beatty and others

APPROPRIATION
Sent to FINANCE

"To authorize the issuance of \$200,000,000 in bonds of the State to provide funds for public school facilities in the counties of the State subject to a vote of the people of the State." Authorizes State Treasurer, subject to favorable vote by majority of qualified voters in State, and with consent of Governor and Council of State, to issue and sell "State of North Carolina Public School Facilities Bonds of 1971" in aggregate principal amount not exceeding \$200,000,000, for purpose of providing grants-in-aid to various counties of State for construction, reconstruction, enlargement, improvement, repair and renovation of public school facilities, and for purchase of equipment essential to operation of facilities. Authorizes State Board of Education to determine whether funds hereinafter allocated to administrative unit are not needed for construction, etc., and permits such unneeded funds to be used for retirement of school bonds heretofore issued by county in which administrative unit located. Appropriates proceeds of sale of bonds authorized by act and distributes & allocates funds based on per capita average daily membership within each administrative unit for school year 1969-1970, plus 1/2 of increase in average daily membership between 1959-1960 and 1969-1970 school year. Permits funds allocated to city administrative unit to be added to county unit if consolidation occurs after effective date of act. Authorizes State Bd. Educ. to administer act and make disbursements after each unit has submitted for approval plan or plans of school organization showing expenditure of funds for school purposes. (Plans may include joint expenditures by two or more administrative units.) Permits funds to be used in conjunction with any federal funds available for construction, etc.

Allocates \$500,000 from proceeds of sale of bonds to State Bd. Educ. for any expenses necessary to preparation and sale of bonds, and remainder to be used for providing educational surveys and technical assistance to local units in planning and constructing facilities. Requires that bonds mature within 25 years and sets up procedure for sale thereof. Interest rate and sale price to be fixed by St. Treasurer with approval of Gov. and, Council of St. Establishes procedure for election on bond issue to be held in 1971 or 1972 on date to be set by Gov.

Allocates proceeds from sales of bonds as follows:

Administrative Unit	Allocation to Administrative Unit	Administrative Unit	Allocation to Administrative Unit
Alamance	\$ 2,178,784	W-Salem-Forsyth	8,762,125
Burlington	1,624,867	Franklin	785,171
Alexander	731,607	Franklinton	227,565
Alleghany	282,090	Gaston	5,437,017
Anson	935,918	Gates	374,303
Ashe	717,654	Graham	247,450
Avery	459,299	Granville	1,290,015
Beaufort	761,917	Greene	700,976
Washington	629,612	Guilford	3,692,034
Bertie	902,240	Greensboro	5,899,203
Bladen	1,173,586	High Point	2,088,015
Brunswick	984,350	Halifax	1,602,255
Buncombe	3,586,831	Roanoke Rapids	459,620
Asheville	1,332,192	Weldon	328,918
Burke	2,197,066	Harnett	1,871,997
Cabarrus	1,333,956	Haywood	1,414,301
Concord	603,792	Henderson County	1,190,746
Kannapolis	1,006,962	Hendersonville	302,137
Caldwell	2,018,094	Hertford	1,059,403
Lenoir City	320,740	Hoke	811,471
Camden	234,942	Hyde	218,905
Carteret	1,207,264	Iredell	1,656,139
Caswell	790,142	Mooresville	397,557
Catawba	1,851,469	Statesville	806,820
Hickory	1,027,970	Jackson	541,248
Newton	536,277	Johnston	2,400,255
Chatham	1,102,703	Jones	441,819
Cherokee	593,689	Lee	351,851
Edenton-Chowan	465,233	Sanford	1,031,980
Clay	183,463	Lenoir County	1,260,507
Cleveland	1,275,581	Kinston	1,027,970
Kings Mountain	825,103	Lincoln	838,734
Shelby	850,120	Lincolnton	432,678
Columbus	1,531,852	Macon	517,032
Whiteville	528,738	Madison County	479,025
Craven	1,509,882	Martin	1,111,683
New Bern	1,020,754	McDowell	1,075,761
Cumberland	5,937,371	Charlotte-Meck.	15,282,893
Fayetteville	2,356,474	Mitchell	463,308
Currituck	262,686	Montgomery	759,992
Dare	246,168	Moore	1,605,141
Davidson	2,450,451	Nash	1,886,911
Lexington	771,539	Rocky Mount	1,329,947
Thomasville	618,707	New Hanover	3,258,714
Davie	725,994	Northampton	1,041,121
Duplin	1,566,011	Onslow	2,691,005
Durham County	2,471,459	Orange	788,859
Durham City	2,187,123	Chapel Hill	926,456
Edgecombe	1,190,746	Pamlico	406,377
Tarboro	618,386	Eliz. City-Pasquo.	1,049,460

Administrative Unit	Allocation to Administrative Unit	Administrative Unit	Allocation to Administrative Unit
Pender	753,738	Albermarle	448,234
Perquimans	352,012	Stokes	886,681
Person	1,108,476	Surry	1,312,948
Pitt	1,965,332	Elkin	199,981
Greenville	1,025,886	Mount Airy	408,943
Polk	289,467	Swain	270,223
Tryon	120,758	Transylvania	718,777
Randolph	2,122,013	Tyrrell	168,549
Asheboro	804,575	Union	1,683,081
Richmond	1,615,726	Monroe	499,712
Robeson	2,395,444	Vance	1,379,661
Fairmont	389,859	Wake	4,631,159
Lumberton	683,817	Raleigh	4,426,206
Maxton	214,896	Warren	698,410
Red Springs	254,186	Washington County	634,263
Saint Pauls	282,732	Watauga	693,599
Rockingham County	846,431	Wayne	2,392,878
Eden	802,811	Goldsboro	1,208,547
Madison-Mayodan	462,988	Wilkes	1,492,722
Reidsville	778,275	No. Wilkesboro	352,172
Rowan	2,363,209	Wilson County	759,030
Salisbury	628,970	Elm City	233,819
Rutherford	1,673,619	Wilson City	1,316,957
Sampson	1,297,552	Yadkin	859,422
Clinton	573,482	Yancey	429,791
Laurinburg-Scotland	1,167,812		
Stanly	1,075,440		<u>\$199,500,000</u>

H 1038 Nuisance declaratory judgment
Introducers: Foley and others

GS 1
Sent to JUDIC 2

"Relating to declarative relief against nuisance." Adds new paragraph to GS 1-539 providing that in action for removal of nuisance, failure to show unusual or special damage, or that nuisance is public rather than private, or is common law rather than statutory, shall not bar action.

H 1039 Teacher pensions, pre-1941
Introducers: Haynes and others

APPROPRIATION, GS 135
Sent to ST PERS

"To provide pensions for certain teachers with 12 or more years service who retired before the establishment of the Teachers' and State Employees' Retirement System in July, 1941." Adds new GS 135-14.2 providing monthly pension same as that provided in GS 135-14 (now, \$70 per month) for each teacher who served 12 or more years as teacher prior to July 1, 1941, and no time thereafter, and who has reached the age of 65 on July 1, 1971, or reaches 65 thereafter. Appropriates from General Fund amount necessary each fiscal year to carry out new pension provisions. Effective July 1, 1971.

1041 County and city auxiliary police

Introducer: Watkins

GS 160

Sent to JUDIC 1

"To authorize counties and cities to create a joint auxiliary police force." Adds new GS 160-20.4 permitting governing bodies of city, town or county to create by resolution or ordinance, joint law enforcement auxiliary force with one or more other city, town or county. Provides resolution to specify whether members to be paid or to be volunteer. Provides members to be appointed by respective units and to take oath required for regular police. Provides force may be called into active service by mayor, chief of police, chairman of bd. of county comm'rs, or sheriff of participating unit. Provides for members of auxiliary to be members of regular unit when undergoing training or on active duty and entitled to all powers, privileges and immunities of regular police. Exempts members of auxiliary from status of public officers within meaning of NC Constitution.

1042 Dentistry law revision (Iden. S 675)

Introducers: R. Farmer and Chase

GS 90

Sent to HEALTH

"To amend Article 2 of Chapter 90 of the General Statutes of North Carolina relative to the practice of dentistry." Rewrites laws relating to practice of dentistry in NC. Adds provision to GS 90-22(c)(4) requiring Bd. of Dental Elections, before preparing ballots, to notify all persons nominated for membership on Bd. of Dental Examiners. Provides no person to practice dentistry in NC unless he is holder of valid license or certificate of renewal issued by Bd. of Dental Examiners. Defines following as practice of dentistry: (1) diagnoses, treats, operates, or prescribes for any disease, etc., of teeth, gums, alveolar process, jaws, maxilla, mandible, or adjacent tissues or structures of the oral cavity; (2) removes stains, accretions, or deposits from the human teeth; (3) extracts human teeth; (4) performs any phase of operation relative to replacement of part of tooth with artificial material; (5) corrects malposition or malformation of teeth; (6) administers anesthetic in treatment of oral diseases (except qualified nurse or anesthetist under supervision of licensed dentist or physician); (7) takes impression of human teeth, gums or jaws; (8) makes, builds, constructs, etc. prosthetic denture or substance designed as substitute for natural tooth; (9) uses Roentgen or X-ray machine or gives interpretation thereof; (10) engages in clinical practices included in curricula of recognized dental schools; (11) owns or conducts enterprise wherein any of above acts are done; (12) uses any title which represents him as being dentist; and (13) represents to public ability to perform any of acts listed above. Excludes from practice of dentistry following acts: (1) acts by duly licensed physician or surgeon; (2) practice of dentistry by dentists in military service or employees of agency of US; (3) teaching of dentistry, in approved dental schools by anyone licensed to practice dentistry elsewhere, provided that any place outside US must be first approved by Bd. of Dental Examiners; (4) practice of dentistry by dental students as part of their instruction and under supervision of licensed dentist; (5) temporary practice of dentistry by licensed dentists of another jurisdiction at dental meetings and clinic, or in emergency when called by licensed dentist; (6) graduate of approved dental school when he is holder of valid intern permit or provisional license; (7) acts by dental hygienists performed pursuant to Art. 16, GS 90; (8) acts by dental hygiene students in approved schools; (9) acts by assistant to licensed dentist that are approved by Bd.; (10) acts by students of dental school assisting under duly licensed instructor; and (11) extraoral construction, manufacture, fabrication or repair of prosthetic dentures, etc., when pursuant to written work order. Enacts new GS 90-29.4 permitting Bd. to issue intern permit authorizing practice of dentistry under supervision of duly licensed dentist, subject to following conditions: (1) Permit to be valid for one year, renewable, but not for more than 48 months aggregate; (2) holder to practice only under supervision of duly licensed dentist; (3) holder to practice only in hospital or like institution or as employee of governmental agency of NC; (4) holder to receive no fee other than salary by employer; (5) holder not permitted to change place of internship without written approval of Bd.; (6) practice to be limited to confines and patients of assigned institution; (7) requires applicant to comply with rules of Bd. Adds sentence to GS 90-30 permitting Board to employ such dentists found qualified to examine applicants. Raises fee for renewal of license from \$5.00 to \$10.00. Permits Bd. to refuse renewal of license for nonpayment of fee or for violation of GS 90-41. Withholds power to grant comity license to one found guilty by State regulatory agency charged with responsibility

for violations of professional ethics or found guilty by court of competent jurisdiction of another state (now only if charged with violation of professional ethics). Sets out schedule of fees: (1) general dentistry exam: \$75 (now, \$30); (2) license renewal: \$50 (now, \$25); (3) provisional license: \$50 (new provision); (4) intern permit: \$50 (new provision); (5) certificate of license: \$15 (now, \$5); (6) license issued to practitioner from another state: \$75 (now, \$30); and (7) license to resume practice: \$75 (now, \$30). Sets out acts or conditions that will be subject to disciplinary action which are generally similar to present provisions and a new detailed procedure for hearings to be conducted in accordance with GS Ch. 150.

H 1043 Dental hygiene law revision (Iden. S 676)
Introducers: R. Farmer and Chase

GS 90
Sent to HEALTH

"To amend Article 16 of Chapter 90 of the General Statutes of North Carolina relative to the practice of dental hygiene." Broadens definition of dental hygiene as set out in GS 90-221 to include complete oral prophylaxis, handling of radiographs, administration of medication, and other functions, and defines dental hygienist as person who is graduate of school accredited by State Board of Dental Examiners and who has been licensed by Board. Retains Bd's authority to conduct examinations and issue licenses, and to make necessary rules and regulations, but now requires Bd. to file copies of rules, to distribute copies of rule changes to dentists and dental hygienists, and to issue a compilation of rules every two years, and also to issue on request to each licensed dentist or hygienist a directory of all hygienists. Removes requirements that applicant to take examination be 19 years of age and a citizen of the US, but retains other requirements. Adds new provision authorizing Bd. to determine where licenses must be displayed. Authorizes new provisional licensing procedures, to be used when person has been licensed by another state with requirements as strict as those of NC (but not to anyone who has failed an NC licensing exam), but to be valid only until the next NC examination and to be subject to conditions set by the Bd. Makes form and manner of issuance of renewal certificates in discretion of Bd. rather than as now set out in GS 90-227, and simplifies statutory requirements for renewal (also renumbers those sections following GS 90-227). Rewrites provisions concerning revocation or suspension of license, generally retaining same grounds for discipline, but adding possibility of disciplinary measures (such as censure) other than revocation or suspension. Removes requirement that renewal of license be in same manner as provided in GS 90-31 for renewal of dentists' licenses. Makes clearer provision that disciplining be according to procedures of GS Ch. 150, adding provisions for consent orders and for discovery procedures and examinations by Bd. and applicant when hearing is held. Provides new procedure for certifying to another state or country that NC hygienist moving there is licensed in this State and in good standing. Raises permissible fee for examination from \$20 to \$50, for renewal certificate from \$25 to \$35, and for restoration of license from \$20 to \$35, adding new fee limits of \$35 and \$15 for provisional license and for certification to another state. Rewrites provisions on practice of dental hygiene, specifying that hygienist may practice only under direct supervision of licensed dentist, and specifically exempting various teaching activities from being considered as practice, otherwise retaining substance of current provisions.

H 1044 Husband-wife trespass testimony
Introducer: R. Farmer

GS 8
Sent to JUDIC 1

"To allow a spouse to testify against the other spouse in a trespass action."
Amends GS 8-57 to allow spouse's testimony in criminal prosecution of other spouse for trespass to separate residence of spouse when two are living apart by mutual consent or by court order.

H 1045 Fee increase for cert. copy-DMV
Introducer: Twiggs

GS 20
Sent to HY SAFETY

"To increase fee for certified copies of Department of Motor Vehicles' records."
Amends GS 20-42(b) to increase fee for each certified copy of record from DMV from 50¢ to \$1.00

H 1046 Minors working where beer served
Introducer: Twiggs

GS 18
Sent to ABC

"Enabling minors of sixteen years of age or older to work in certain establishments which hold 'on-premises' beer and wine licenses, subject to certain conditions." Enables minors over 16 to work in any restaurant, cafe, eating establishment, hotel, motel, inn, resort or establishment enumerated in GS 18-72 or -73 so long as he does not sell or dispense beer or wine. Act not to abrogate child labor law restrictions or other provisions of GS Ch. 18.

H 1048 Blind Commission Study
Introducers: Leatherman and others

STUDY, APPROPRIATION
Sent to BLIND

"To authorize and direct the State Commission for the Blind to make a study of the need for comprehensive services for preschool age children who are visually impaired and to make appropriations for the study." Authorizes study as title indicates to determine how to identify children in need of services and how to deliver services, with report and recommendations to be made to 1973 Gen'l Assembly. Appropriates to Comm'n for Blind \$47,219 for fiscal 1971-72 and \$42,824 for fiscal 1972-73 to make study, main items in budget being salary of \$15,852 each year for planning coordinator, \$4,740 each year for stenographer, \$10,000 each year for contractual services. \$2,800 each year for staff and consultant, and \$6,723 first year for office equipment. Effective July 1, 1971.

H 1049 Social Services equal. funds
Introducers: Taylor and Love

GS 108
Sent to SOC SERV

"To provide for more equitable distribution of social services equalizing funds."
Adds new paragraph to GS 108-58 providing that beginning in fiscal year 1970-71 every county to receive at least as much in equalizing funds as it received during year immediately preceding but no county to receive in excess of 5% more than increase received by county receiving least increase.

H 1050 Resident hunting licenses
Introducers: Foley and others

GS 113
Sent to WILDLIFE

"To provide that persons domiciled in North Carolina for more than sixty days shall be entitled to purchase and use resident hunting, trapping and fishing licenses." Amends GS 113-95 to provide that any person who has resided in NC at least six months or has maintained domicile in State for at least 60 days immediately preceding making application shall be deemed a resident for purposes of obtaining license. Requires person to sign certificate of domicile on form supplied by Wildlife Resources Comm'n. Amends definition of resident in GS 113-130 to conform. Effective July 1, 1971.

H 1051 Charge account charges
Introducer: Miller

GS 24
Sent to BANKS

"Relating to the charges of interest which may be charged with respect to revolving charge accounts or credit card accounts." Amends GS 24-11(a) (Revolving credit charges) to permit finance charges or other fees at a rate in the aggregate not to exceed 1 1/2% per month on the unpaid balance remaining unpaid upon the expiration of twenty-five days following the billing date. (Now, payable upon unpaid balance of previous month.)

LOCAL BILLS INTRODUCED

MONDAY, MAY 24
(Carried over from Bulletin No. 94)

SENATE

See Bulletin No. 94

HOUSE

H 1030 Thomasville city elections
Introducers: Hege and Snyder

DAVIDSON
Sent to LOC GOVT

"Relating to the time for filing for the Office of Mayor and members of the City Council of the City of Thomasville." Amends Sec. 1(d) of Ch. 4, 1963 SL to provide for filing of nominations in city election with city clerk not later than 6:00 p.m. on the third Tuesday preceding the first Monday in May. (Now, time not specified.)

H 1031 Wilson School bd. election (Iden. S 673)
Introducer: Paschall

WILSON
Sent to EDUCATN

"To provide for the nomination and election of the Wilson City Board of Education." Identical with S 673 digested in Bulletin No. 94, p. 813.

H 1035 Method of marking ballots
Introducers: Warlick and Beard

CATAWBA, GS 163
Sent to ELECTION

"Relating to the procedure of voting in Catawba County." Removes Catawba from provisions of GS 163-151(3)(b) (casting vote for as many candidates as there are positions to be filled in a particular office).

H 1040 Oxford compensation authority
Introducer: Watkins

GRANVILLE
Sent to LOC GOVT

"To authorize the Board of Commissioners of the City of Oxford to pay for public services rendered by a member of the Board." Authorizes Oxford Commissioners to compensate Comm'r Hart for public services rendered through use of his heavy equipment in laying water line required to alleviate water emergency existing in Oxford during autumn 1970.

H 1047 Cherryville firemen retirem't
Introducers: Stewart, Bumgardner, Rhyne,
and Leatherman

GASTON, GS 118
Sent to LOC GOVT

"To provide a supplemental retirement fund for firemen in the City of Cherryville and to modify the application of G.S. 118-5, G.S. 118-6, and G.S. 118-7, to the City of Cherryville." Authorizes Bd. of Trustees of Local Firemen's Relief Fund of City of Cherryville to establish separate fund, Supplemental Retirement Fund, and transfer thereto prior to July 1, 1971 all funds, including earnings on investments, on the Local Relief Fund in excess of \$5,000. Requires Trustees to disburse funds in Supplemental Retirement Fund in accordance with requirements set out in act.

PUBLIC BILL INTRODUCED
TUESDAY, MAY 25

SENATE

S 683 Courts Comm'n members-terms
Introducer: Bailey

GS 7A
Sent to COURTS

"To amend G.S. 7A-500 to provide that terms of office of all Courts Commission appointees other than initial appointees shall be for four years." As title indicates, amends GS 7A-500 to provide for terms beginning July 1 of odd-numbered years and continuing for four years, (now two years).

S 685 Catfish Creek easement (Iden. H 1057)
Introducers: Burney and Warren

GS 143, 146
Sent to CONS&DEV

"To authorize the Department of Administration with approval of the Governor and Council of State to grant an easement pertaining to the development of a reservoir to be used in connection with the generation of electric power for sale and distribution to the public to be located adjacent to the Cape Fear River at Catfish Creek in New Hanover County." Identical with H 1057 digested in House section of today's Bulletin.

S 686 Second dismissal from school
Introducer: Knox

GS 115
Sent to EDUCATN

"To amend G. S. 115-147 to provide that any pupil who is suspended or dismissed from a public school for the second time during the same school term shall not be entitled to return to school during that term without the express approval of the superintendent." Adds new provision to GS 115-147 providing any student suspended or dismissed more than once during same school term is subject to permanent dismissal for remainder of term by principal, with approval of superintendent. Provides such dismissal and right of readmission is discretionary and, in absence of gross abuse of discretion, such decision is final.

HOUSE

H 1052 New PhD programs-regional univs.
Introducer: J. C. Johnson

GS 116
Sent to HIGHR ED

"To amend G.S. 116-44.10 to provide that no university shall institute a doctoral program prior to July 1, 1973." Amends GS 116-44.10(b) to provide no regional university shall institute a doctoral program prior to July 1, 1973.

H 1054 Historic property commissions
Introducers: C. Smith and others

GS 121, 160, 153
Sent to JUDIC 2

"Authorizing cities and counties to designate and protect historic properties; to create city and county historic properties commissions; to define their duties; and to provide otherwise for the regulation, acquisition, and preservation of historic buildings, structures, sites, areas and objects." Permits governing body of local unit to appoint Historic Properties Comm'n to serve at pleasure of board, consisting of five to ten members, the majority of whom are specially qualified in fields of history or architecture. Provides members to be appointed for terms not to exceed three years and be eligible for reappointment. Provides as alternative to comm'n appointment ex officio of members of Historic Dist. Comm'n created pursuant to Ch. 504, SL 1965. Restricts powers of Comm'n to zoning jurisdiction of unit, and provides members not to be paid, but may be reimbursed for expenses, and declares membership on Comm'n is office that may be held concurrently with another office. Sets out powers of Comm'n as follows: (1) recommend sites to be

officially designated as historic property; (2) recommend ordinances for regulation of historic property; (3) acquire, hold, manage, restore, exchange and sell property in manner to insure continued conservation of property; (4) make provisions for restoration; (5) recommend revocation of historical designation; (6) prepare and administer educational program to promote interest in public sites; (7) notify owners of historic property; (8) cooperate with governmental agencies; (9) enter and make examinations of private lands, with consent of owner or occupant; (10) conduct meetings and hearings open to public. Authorizes governing unit to adopt, repeal, etc., ordinances relating to historical sites and sets out criteria to be considered. Sets out procedure for designating historic sites, including requirement to notify tax supervisor of county of historical designation. Provides designated historical property may be demolished, altered, remodeled or removed provided 180 days notice is given to Comm'n by owner. Provides that during such period, Comm'n may enter into negotiations with owner for acquisition of property. Provides nothing to prohibit ordinary maintenance or use of property by owner. Permits governing unit to acquire historic property and gives approval for levy of taxes for that purpose (after July 1, 1973, no vote of people necessary). Authorizes appropriation by governing unit to Comm'n. Provides nothing to be construed as limiting power of State or any of its subdivisions to acquire historical property. Provides that where historic site is demolished, etc., governmental unit or Comm'n may institute action to prevent illegal act or conduct with respect to such property. Provides violation of ordinance made pursuant to act is misdemeanor (2 year), each day constituting separate offense. Repeals GS 121-7.1 and provides all sections are severable. Has repealer clause for conflicting laws, except charter provisions.

H 1055 Assigned risk insur. revision
Introducers: Holshouser and others

GS 20
Sent to INSUR

"To amend Article 9A of the General Statutes of North Carolina to revise the North Carolina Automobile Assigned Risk Plan." Amends GS 20-279.34 to require rates established under Assigned Risk Plan (effective Jan. 1, 1972) be subject to following: (1) if applicant or operator of motor vehicle in same household have together accumulated no more than one driving record point under Safe Driver Plan established pursuant to GS 58-248.8 no additional charge or deduction to premium otherwise applicable shall be made by reason of fact applicant has obtained insurance coverage through Assigned Risk Plan. (2) If applicant or operator in same household have together accumulated two or more points under Safe Driver Plan, there shall be a surcharge or deduction from premium otherwise applicable based on difference in loss experience for period of not less than one year immediately preceding such time as rates are established, between insureds in Assigned Risk Plan and insureds obtaining coverage outside plan.

Adds new GS 20-279.34A requiring Insur. Comm'r on or before January 1, 1972, to enact reasonable plans and procedures for decreasing number of persons obtaining insurance through Assigned Risk Plan by an equitable method of allowing 100% credit as business written through Plan for all business composed of persons insured through Plan which such carriers will write voluntarily outside Plan. Plan to be formulated after consultation with representatives of insurance carriers writing insurance in NC. After formulation of plan, all insurers doing business in state must participate in plan as prerequisite to continuing to do business here. Effective January 1, 1972 and applicable to policies written or renewed after that date.

1056 Wilmington Thalian Hall restor.
Introducers: Penton and G. Rountree

APPROPRIATION
Sent to APPROPRN

"To appropriate matching funds to assist in the restoration of Thalian Hall in Wilmington." Appropriates from General Fund to State Dep't of Archives and History for 1971-73 biennium \$50,000 for purpose of assisting in restoration of Thalian Hall in Wilmington subject to raising of like amount by Thalian Hall Commission. Effective July 1, 1971.

1057 Catfish Creek easement (Iden. S 685)
Introducers: Penton and G. Rountree

GS 143, 146
Sent to CONS&DEV

"To authorize the Department of Administration with approval of the Governor and Council of State to grant an easement pertaining to the development of a reservoir to be used in connection with the generation of electric power for sale and distribution to the public to be adjacent to the Cape Fear river at Catfish Creek in New Hanover County." As title indicates, authorizes Dep't of Admin. with approval of Governor and Council of State to utilize and compound, including the closing of Catfish Creek, for purpose of development of reservoir to be used in connection with generation of electric power and grant easement pursuant to procedure in Art. 16, GS Ch. 143 for such purpose in lands covered by waters of Creek. Authorizes granting of easement upon such conditions as Dep't deems proper, including condition that fishery management in reservoir be under jurisdiction of Wildlife Resources Comm'n.

H 1058 Municipal Bd. of Control
Introducer: Harkins

GS 160
Sent to LOC GOVT

"Re-establishing the Municipal Board of Control and providing a procedure for administrative incorporation of cities and towns." Establishes Municipal Bd. of Control consisting of five members; Sec. of Loc. Govt. Comm'n, Chairman of Senate Comm. on Loc. Govt., Chairman of House Comm. on Loc. Govt., to be ex officio members, with two members to be appointed by Governor. Provides membership to be office that may be held concurrently and administrative location of Bd. to be determined by Governor. Provides for per diem compensation to be paid out of Contingency and Emergency Fund. Provides 25 or more qualified voters may petition Bd. for incorporation of area, and sets out required contents of petition. Requires petitioners before presentation to Bd., to present a copy of petition to county comm'rs and governing boards of all other cities in county or located within 3 miles, and publish in newspaper certain facts. Provides that upon presentation of petition, petitioners to pay \$200 fee, thereupon Bd. to set date for hearing, after publishing notice in newspaper and notification of county comm'rs. Provides Bd. may authorize incorporation if it finds: (1) incorporation is necessary or expedient and in public interest; (2) the area has permanent population of 500 or seasonal population of 1000; (3) appraised value of property subject to taxation will be sufficient to provide appropriate municipal services; (4) no town within 3 miles of area has expressed objection; (5) at least 60% of area is developed and remaining area is not separated from developed area by natural barriers. Provides Bd. may make order of incorporation effective on date prescribed, or on approval of qualified voters in area (this is required if petition signed by 25% of those eligible to vote) by majority vote. Provides that Bd. to issue charter for city upon approving order of incorporation, and that all cities chartered under this provision to have all powers of cities and towns generally. Effective July 1, 1971.

H 1060 Evidence in boat accident cases
Introducer: Miller

GS 75A
Sent to JUDIC 2

"To provide new rules of evidence in regard to the agency of the operator of a motorboat or vessel involved in any accident." Adds to GS Ch. 75A new section providing proof of ownership of boat at time of accident or collision shall be prima facie evidence that vessel was being operated and used with authority, consent, and knowledge of owner

in transaction out of which injury or cause of action arose. Makes proof of certificate of number stating number awarded to motorboat or vessel in name of any person, firm, or corporation or proof of licensing or registration of vessel prima facie evidence of ownership of said vessel. Effective July 1, 1971.

H 1061 Funds for private colleges
Introducers: Martin and others

APPROPRIATION
Sent to APPROPN

"Appropriating funds to utilize the resources of private colleges and universities in educating North Carolina students." Appropriates \$4,600,000 from General Fund for fiscal year beginning July 1, 1971 and like sum for subsequent year to be disbursed pursuant to H 780, identical with S 480 digested in Bulletin No. 72, p. 566. Provides \$200 per year to be paid to private institutions for each NC student enrolled in such institutions for academic year, to extent funds available. Provides any funds not expended after first year may be carried over to second year. Appropriates \$600,000 from General Fund for fiscal year beginning July 1, 1971, and like sum for subsequent fiscal year to be disbursed to private institutions having higher number of NC students enrolled in such institution than were enrolled on Oct. 1, 1970. Effective July 1, 1971.

H 1062 Discovery of insurance information
Introducer: Ingram

GS 1A
Sent to JUDIC 1

"To allow discovery of insurance information in negligence actions." Adds new paragraph to Rule 26(b) of Rules of Civil Procedure to provide for discovery of existence and contents of any insurance agreement under which insurer may be liable to satisfy judgment or indemnify or reimburse insured for payments made to satisfy judgment. Specifies that disclosure for this purpose does not make information admissible at trial, and provide that application for insurance does not constitute insurance agreement for purposes of act.

LOCAL BILLS INTRODUCED
TUESDAY, MAY 25

SENATE

S 684 Hendersonville Charter
Introducer: Alley

HENDERSON
Sent to LOC GOVT

"To revise and consolidate the Charter of the City of Hendersonville and to repeal prior charter acts." Enacts new charter for Hendersonville with the intent of superseding all prior acts dealing with the same matters or otherwise in conflict. Provides generally for retention of usual municipal powers, sets out in details boundaries (extensions to be governed by Gen'l Statutes), and provides that Part 4 of Art. 22 of GS Ch. 160 (Planning Boards) shall be inapplicable to Hendersonville. Provides for four-member city council plus voting mayor, each to be resident and to serve four year term, after election conducted according to procedures set out in detail in bill. Requires council meetings at least once a month, sets out ordinance and resolution powers of council, and establishes rules for organization and voting. Provides for council appointment of professional city manager (who must become resident of city) and sets out his duties, from which are specifically excluded control over ABC Board and Bd. of Education. Sets out procedure for selection of city attorney, clerk, tax collector and accountant, and gives functions of each and prohibitions from political activity. Generally covers other matters of municipal concern including finance and taxation, disposal of property, police (with jurisdiction extended to one mile from corporate limits), assessment of costs for street improvements, sidewalks, refuse and trash, zoning, and claims against the city. Effective upon ratification except for provisions concerning city manager, which must be approved by city voters in referendum.

HOUSE

H 1053 Legalized bingo
Introducers: Falls, Mauney and Jones

POLK, CLEVELAND, RUTHERFORD,
GS 14
Sent to LOC GOVT

"Relating to the game of bingo in the counties of Polk, Cleveland, and Rutherford." Makes lawful in Polk, Cleveland and Rutherford counties for civic or charitable organizations to sponsor or operate game of "Bingo" notwithstanding Art. 37, GS Ch. 14.

H 1059 Taxation of mineral interests
Introducers: Harkins, Mitchell and Nash

ROWAN
Sent to FINANCE

"To amend Chapter 235 of the Session Laws of 1971 to provide for the recordation and listing for ad valorem taxes of certain oil, gas and mineral interests." Adds new section to Ch. 235, 1971 SL, applicable only to Rowan County requiring that within two years from Nov. 1, 1971, all oil, gas or mineral interests in lands severed or separated from surface fee simple ownership be listed for ad valorem taxes and notice of such interest be filed in writing as provided in GS 1-42.2(b) and recorded in local registry in book provided by GS 1-42 to be effective against surface fee simple owner or creditors, purchasers, heirs or assigns of owner. Requires surface oil, gas and mineral interests be assessed for ad valorem taxes as real property pursuant to GS Ch. 105. Requires notice of above be published in newspaper in county for four consecutive weeks prior to Nov. 1, 1971. Effective September 1, 1971.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 4 18 year old majority (digested in Bulletin No. 1, p. 2)
Amendment adopted in Senate 5/25/71 adds provision that act is to be effective upon ratification of US Constitutional Amendment permitting 18 year old vote.

S 72 Day-care facilities-2 (Iden. H 100, digested in Bulletin No. 12, p. 77)
Committee Substitute adopted in Senate 5/25/71 completely rewrites original bill. Establishes Child Day-Care Licensing Board to coordinate all local and State agencies in inspecting, licensing and providing services to day-care facilities, composed of 15 members to serve 6 yr. staggered terms as follows: Comm'r Insur., Comm'r Social Services, State Health Director, State Superintendent of Public Instruction, Comm'r Mental Health or their designees, and ten citizen members appointed by Governor, five of whom shall be operators of day-care facilities (one from facility licensed for no more than 29 children, three from facilities licensed for no more than 70, and one from facility licensed for more than 70), three who have no direct or indirect pecuniary interest in day-care facilities, but two of whom are parents of pre-school children at time of appointment, and two who are operators of non-profit centers. Authorizes Bd. to : (1) develop policies and procedures for issuance of license to day-care facility meeting health and safety standards under act, provide for inspections by existing State and local agencies or by Bd's personnel prior to licensing (2) to develop a system for registration of day-care plans which are not subject to licensing so there can be accurate census of number of children placed in day-care resources (3) employ Director to administer Board's programs (4) make rules and regulations for issuance of provisional licenses, develop and issue standards reflecting higher levels of day care excellence than required and develop system of grades or ratings to appear on the license of any operator who voluntarily complies with such higher standards (5) to serve as administrative appeal body to determine all issues related to issuance, renewal and revocation of licenses. Establishes director (formerly co-ordinator) with duties as in original bill and in addition, power to revoke

after hearing the license of any center which ceases to meet standards established by act and power to issue rated license to operators voluntarily meeting high standards. Mandatory standards for license same as original bill with following exceptions: (1) specifies areas to be considered by State Board of Health in developing health and sanitation standards and does not require consultation with Board in developing these; (2) specifies standards for mats used during rest periods; (3) deletes specific 2 hour daily requirement of out-doors recreation (4) reduces space requirement to 25 square feet indoor space per child (was 30 sq. ft.) and 200 cubic feet air space during rest periods (was 210), requires adequate outdoor play area (deletes 80 square feet specification). Requires staff-child ratios stricter than original bill. Provides nothing in act to interfere with authority of Social Services Dept. to visit or approve facility for purchase of care with federal funds. Remaining provisions as in original bill.

HOUSE BILLS

H 87 Judicial Standards Commission (Iden. S 62) (digested in Bulletin No. 11, p. 68)
Amendment adopted in House 5/25/71 requires concurrence of at least five members of Commission (now four) in any recommendation to censure or remove any justice or judge.

H 155 Nuisances-public morals (digested in Bulletin No. 18, p. 117; committee substitutes digested in Bulletin No. 72, p. 572 and Bulletin No. 75, p. 604)
Committee Substitute #3 adopted in House 5/25/71 deletes provision in committee substitute #2 making the erection, establishment, continuance, maintenance, use, ownership or leasing of any building or place wherein are committed, conducted or permitted any act or acts which create and constitute a danger to the public or are likely to provoke the average person to retaliation and thereby cause a breach of the peace constitute a nuisance.

H 392 Arson law changes (digested in Bulletin No. 40, p. 286)
Committee Substitute adopted in House 5/25/71 adds conforming language so that now all provisions make it unlawful to "set fire to or burn or cause to be burned or aid, counsel or procure the burning of" designated structures. (Originally, some sections only prohibited burning.) Adds new GS 14-67.1 prohibiting wantonly and willfully setting fire to, burning or causing to be burned or aiding, counseling or procuring the burning of "any building or other structure of any type not otherwise covered by the provisions of this article." Provides violator guilty of felony punishable by fine and imprisonment from four months to ten years.

H 700 Tort claims-local liability (digested in Bulletin No. 65, p. 498)
Committee Substitute adopted in House 5/25/71 (1) makes units of local government liable for "tortious act or omission" rather than for original "negligent act"; (2) removes damage award limit of \$15,000; (3) corrects statutory reference in original bill; (4) provides that claim need not contain name of officer, agent or employee for whose actions local unit is to be liable if the name is unknown and cannot be ascertained by claimant through reasonable diligence; (5) adds new section similarly providing for leaving out name when claim is against State and name of employee cannot be ascertained; and (6) specifies that new tort claim article shall not apply to actions against units of local government for recovery of damages to real property due to a taking without just compensation.

SPECIAL MESSAGE ON HIGHER EDUCATION

Governor Robert W. Scott today delivered to the General Assembly a special message on the reorganization of higher education in North Carolina. He recommended that legislation be enacted to implement the proposals of the Warren Committee (the Report of the Governor's Study Committee on Structure and Organization of Higher

Education, released today) that (1) each of the 16 public senior institutions of higher education in North Carolina be governed by a separate board of trustees; (2) the staffs and most of the coordinating functions of the Consolidated University of North Carolina and the State Board of Higher Education be merged into a new State planning and coordinating agency, the University of North Carolina System; and (3) a new Board of Regents be created to govern the University of North Carolina System, with authority to carry out the proposed coordination through approval of new degree programs and review of budgets. Governor Scott recommended two modifications of the Warren Committee proposals: first, that the effective date of the reorganization be October 1, 1971 (rather than July 1, as recommended by the Warren Committee); and, second, that the Board of Regents should be composed of 47 members (rather than the 100 members recommended by the Warren Committee). Governor Scott suggested that 44 of the members be elected by the General Assembly for 8-year staggered terms; that the Chairman of the Senate and House Committees on Higher Education be ex officio members; and that the Governor be Chairman of the Board. He suggested that at least 15 of the initial Board members come from the Consolidated University, at least 15 from the Regional Universities, and at least six from the Board of Higher Education.

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SENATE AND HOUSE

CALENDAR ACTION

MAY 25, 1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 4 18 YEAR OLD MAJORITY.(5/25) S-COM AMEND ADOPTED; S-PASSED 2ND READING.
#S. 10 DAY-CARE FACILITIES. S-REPTD UNFAV.
S. 72 DAY-CARE FACILITIES-2.(5/25) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
#S. 126 DAY-CARE FACILITIES-3. S-REPTD UNFAV.
S. 245 INTERSTATE PLACEMENT OF CHILDREN.(5/20) H-REC FROM SENATE; H-REF TO COM ON SOC SERV; H-RECALLED FROM COM.
S. 489 LICENSING LIVESTOCK DEALERS.(5/24) S-PASSED 3RD READING.
S. 568 EXEMPT TRAINING SCHOOLS FROM COSTS. H-REPTD FAV.
S. 572 CAUSE OF ACTION ACCRUAL.(5/20) H-REC FROM SENATE; H-REF TO COM ON JUDIC 2.
S. 617 HOSPITAL FACILITIES FINANCE ACT. H-REC FROM SENATE; H-REF TO COM ON FINANCE.
S. 644 CORRECTING SL 1971, CH. 363. H-REC FROM SENATE; H-REF TO COM ON COURTS.

H. 86 CENSURE, REMOVAL OF JUDGES. H-PASSED 2ND & 3RD READING.
H. 87 JUDICIAL STANDARDS COMMISSION.(5/25) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
H. 91 INDECENT EXPOSURE ACT.(5/24) H-RE-REF COM ON JUDIC 1.
H. 111 \$300 AUTO ACCIDENT REPORTS.(3/24, 4/23) S-REPTD FAV AS AMENDED.
H. 126 REDEFINED 1ST SECURITY INSTRUMENT. S-PASSED 3RD READING.
H. 155 NUISANCES-PUBLIC MORALS.(4/22, 4/27, 5/25) H-REPTD FAV COM SUB #3; H-COM SUB #3 ADOPTED.
H. 293 LESSOR'S LIENS, PROCEEDS OF SALE.(5/20) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
H. 392 ARSON LAW CHANGES.(5/25) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
H. 511 WILDCAT PROTECTED.(5/21) H-CONCURRED IN S AMEND.
H. 700 TORT CLAIMS-LOCAL LIABILITY.(5/25) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
H. 759 CRIMINAL JUSTICE ACADEMY. H-REPTD FAV AS AMENDED; H-RE-REF COM ON ST GOVT.
#H. 792 HANDICAPPED-NO GOV'T DISCRIM. H-REPTD UNFAV.
H. 868 VET. SCHOLARSHIP ACC. ADJ'MENT. S-REPTD FAV.
H. 942 EMPLOYMENT SECURITY LAW CHANGES.(5/21, 5/24) H-PASSED 3RD READING.

H. 976 CORRECTING ERROR, SL 1971, CH. 362. H-REPTD FAV.

LOCAL BILLS

S. 297 (DAVIDSON) THOMASVILLE ABC ELECTION. H-PLACED ON CAL FOR MAY 26.

S. 442 (SURRY) SCHOOL BOND ELECTION. (5/20) H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.

S. 629 (HALIFAX) COUNTY LAW OFFICERS FUND. S-REPTD FAV.

H. 541 (CARTERET, MOORE) GRAVEYARDS-PARKING & LITTERING. (5/21) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

H. 637 (GUILFORD) GUILFORD COLLEGE ABC REGULATION. S-REPTD FAV.

H. 680 (BRUNSWICK) SOUTHPORT ABC PROFITS. S-REPTD FAV.

H. 761 (BUNCOMBE) ABC ELECTION-BLACK MOUNTAIN. S-REPTD FAV.

H. 861 (DARE) AIRPORT AUTHORITY. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

H. 877 (BLADEN) BAIL BONDSMEN. (5/21) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

H. 899 (WASHINGTON) COUNTY GARBAGE FACILITIES. (5/24) H-PASSED 2ND READING.

H. 901 (MARTIN) ROBERSONVILLE TOWN LIMITS. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

H. 905 (MOORE) PINEHURST POLICE OFFICERS. S-REPTD FAV.

H. 923 (CHOWAN) EDENTON CHARTER REFERENDUM. (5/21) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

H. 930 (MECKLENBURG) CORNELIUS TAX PAYMENT DISCOUNT. (5/21) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

H. 937 (PITT) LANDFILL BY EMINENT DOMAIN. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

H. 945 (CUMBERLAND) CITY-COUNTY SCHOOL BOARD. H-PLACED ON CAL FOR MAY 28.

Next Session of House: 11:30 a.m., Wednesday, May 26, 1971.

Next Session of Senate: 12 noon, Wednesday, May 26, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 96

-837-

WEDNESDAY, MAY 26, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 687 Divorce actions-findings of fact
Introducer: Reed

GS 50
Sent to JUDIC 1

"To require trial judge to make findings of fact and conclusions of law in divorce actions tried without a jury." Amends GS 50-10, as title indicates, (now, statute requires judge to answer issues and render judgment thereon).

S 688 Establishment of cartways
Introducer: Reed (by request)

GS 136
Sent to ROADS

"To amend General Statutes 136-69 relating to the establishment of cartways." Clarifies GS 136-69 so that in order to establish cartway, there must be no egress or ingress "by land." (Now, no requirement that egress or ingress be unavailable by land.)

S 689 Motor vehicle lenders
Introducer: Warren

GS 53
Sent to BANKS

"To authorize a licensed motor vehicle lender to also engage in another business in the same office." Amends GS 53-176.1(a) to permit motor vehicle lenders to maintain more than one business on same premises, but requires them to maintain books, records and accounts relating to loans in accordance with rules of Comm'r of Banks, including keeping loan business separate from any other business transaction.

S 690 Flood and beach erosion funds (Iden. H 1072)
Introducer: Allen

APPROPRIATION, GS 143
Sent to APPROPN

"To appropriate funds to the North Carolina Board of Water and Air Resources to implement the Hurricane Flood Protection and Beach Erosion Control Project Revolving Fund." Identical with H 1072 digested in House section of today's Bulletin.

S 691 Regional sewage revolving fund (Iden. H 1071)
Introducer: Allen

APPROPRIATION, GS 143
Sent to APPROPN

"To appropriate funds to the Regional Sewage Disposal Planning Revolving Fund." Identical with H 1071 digested in House section of today's Bulletin.

S 692 Beach erosion revolving fund (Iden. H 1069)
Introducer: Allen

APPROPRIATION, GS 143
Sent to APPROPN

"To appropriate funds to the Hurricane Flood Protection and Beach Erosion Control Project Revolving Fund." Identical with H 1069 digested in House section of today's Bulletin.



S 693 Sewage Disposal Planning Act funds (Iden. H 1070) APPROPRIATION, GS 143
Introducer: Allen Sent to APPROPRN

"To appropriate funds to the North Carolina Board of Water and Air Resources to implement the Regional Sewage Disposal Planning Act of 1971." Identical with H 1070 digested in the House section of today's Bulletin.

S 694 Magistrate Court costs GS 7A
Introducer: Bailey Sent to COURTS

"To amend General Statutes 7A-228 to require appellants from magistrate's civil judgments to pay court costs to clerk within ten days of judgments, and to delete obsolete language from various other sections of Chapter 7A." As title indicates adds to GS 7A-228 provision that appeal is subject to dismissal on motion of clerk unless appellate costs are paid to clerk within ten days after rendition of judgment. Deletes words "next friends" from GS 7A-305(d)(7), -306(c)(5), and -307(c)(5) and deletes "(Verification)" from GS 7A-232, Form 4. Effective Oct. 1, 1971.

S 695 Landlord-tenant jurisdiction (Iden. H 1084) GS 42
Introducer: Bailey Sent to COURTS

"To amend General Statutes Chapter 42 to conform to the organizational and jurisdictional provisions of the Judicial Department Act of 1965." Identical with H 1084 digested in House section of today's Bulletin.

S 696 Conforming statutes to GS 7A (Iden. H 1085) GS 17, 19, 20, 28, 30, 31, 32,
Introducer: Bailey 35, 36, 38, 39, 40, 41
Sent to COURTS

"To amend various sections of General Statutes Chapters 17, 19, 20, 28, 30, 31, 32, 35, 36, 38, 39, 40, and 41 to conform to the structural and organizational provisions of the General Court of Justice as set forth in Chapter 7A." Identical with H 1085 digested in House section of today's Bulletin.

S 697 Motorcycle riders eye protect. GS 20
Introducers: Crawford and Jones Sent to HY SAFETY

"To amend G.S. 20-140.2(b) to require motorcycle operators and passengers to wear eye protective devices." As title indicates. Effective Jan. 1, 1972.

S 698 Charitable groups tax exemption GS 32, 36, 55A
Introducers: Kirby and Knox Sent to FINANCE

"To amend the governing instruments of charitable trusts, private foundations, and non-profit corporations which are to qualify for the exemption allowed in Section 508 of the Internal Revenue Code, as amended." Adds new GS 55A-15(c) (general powers of non-profit corporations) limiting powers for any corporation organized under Non-Profit Corporation Act which shall be classified as a "private foundation" as defined in Sec. 509, 1954 IRC or corresponding provisions of subsequent federal tax laws unless corporation by its articles of incorporation or amendment thereto specifically states it does not intend to be so limited. Sets out limits as follows: (1) corporation makes distributions for each taxable year so as not to become subject to tax imposed by Sec. 4942 of 1954 IRC; (2) corporation does not engage in self-dealing as defined in Sec. 4941(d); (3) corporation does not retain any excess business holdings as defined in Sec. 4943(c); (4) corporation makes no investments as to subject it to tax under Sec. 4944; (5) corporation makes no taxable expenditures as defined in Sec. 4945(d).

Adds new GS 36-23.2(c) (Charitable Trusts Administration Act) defining "impracticable of fulfillment" in terms of Secs. 509, 664, 4947(a), and 508(e) 1954 IRC.

Adds new GS 32-27(31) (Powers which may be incorporated by reference in trust instrument) limiting powers as in GS 55A-15(c) above for any trust classified as a "private foundation" (including each non-exempt charitable trust described in Sec. 4947(a)(1) which is treated as a private foundation) or non-exempt split-interest trust described in Sec. 4947(a)(2) but only to extent Sec. 508(e) is applicable to such non-exempt split-interest trust under Sec. 4947(a)(2). Adds new GS 36-23.3 deeming governing instrument of charitable trusts to contain limitations set out above in GS 55A-15(c), providing for any such trust created prior to January 1, 1970 such construction applicable only for taxable years beginning on or after January 1, 1972. Permits trustee of any such trust to amend trust without judicial proceedings to expressly exclude application of above by executing a written amendment to the trust and filing a duplicate original with Attorney General, or trustee may institute action in superior court seeking reformation of trust agreement pursuant to authority set forth in GS 36-23.2.

S 699 Pilots Association pension fund
Introducers: Burney and Frink

GS 76
Sent to ST GOVT

"Rewriting Chapter 262 of the Session Laws of 1955 pertaining to a pension system for members of the Wilmington-Cape Fear Pilots Association." As title indicates, makes following changes: (1) adds children under 18 years of age to widows as persons entitled to survivor benefits, and makes their pension one-half the retired pilot's benefits, with minimum guarantee of \$100 per month; (2) sets minimum of \$100 per month for pilots who become physically or mentally incapacitated; (3) adds clause permitting members who become injured and disabled from accident arising out of and in course of employment to become eligible for one-third of share of net earnings of Ass'n during period of disability; (4) sets retirement compensation for retired member with 25 years active service at one-third share of net earnings of Ass'n; (5) sets compensation for retired member with under 25 years service at 4% less of said one-third share for each year of service less than 25; and (6) adds clause making benefits applicable to all living retired pilots and their wives and all living widows of pilots as well as to those now active.

S 700 Wilmington Thalian Hall restor. (Iden. H 1056)
Introducer: Burney

APPROPRIATION
Sent to APPROPRN

"To appropriate matching funds to assist in the restoration of Thalian Hall in Wilmington." Identical with H 1056 digested in Bulletin No. 95, p. 829.

S 701 Cape Fear River pilot fees
Introducers: Burney and Frink

GS 76
Sent to ST GOVT

"Rewriting G.S. 76-13 and G.S. 76-14 relating to the fees of the Cape Fear River pilots." Rewrites GS 76-13 and 76-14 adding definitions of "depth," "extreme breadth," and "overall length." Makes new table of rates based on "Pilotage Units" to be determined as follows: the product of the overall length times the extreme breadth times the depth divided by 10,000. Requires master of vessel to provide required measurements or subject vessel to maximum charge. Provides charges to be as follows: 1-24 units--\$120; 25-49 units--\$140; 50-74 units--\$160; 75-125 units--\$200; over 125 units--\$1.60 per unit; provided, there is maximum charge of \$495. Changes following rates: shifting vessel is \$50, and if vessel is without power, \$100 (now, \$25); detention of pilots is \$50 per day (now, \$10); cancellation not due to weather is \$20 (now, \$10); delay in sailing of more than one half hour, not due to weather is \$10 per hour or fraction thereof (no provision now); and deletes charge for pilotage services during adjustment of compass and calibration of radio direction finder.

S 703 Costs in condemnation actions
Introducer: Harrington

GS 160
Sent to ROADS

"To amend Chapter 160 of the General Statutes to award costs to the owner in certain condemnation actions and to authorize the purchase of uneconomic remnants resulting from acquisitions." Adds new GS 160-205 permitting court in condemnation proceeding to award owner reimbursement for costs, disbursements, expenses, including reasonable attorney fees, appraisal, and engineering fees actually incurred because of condemnation proceedings, if final judgment is that city cannot acquire such property or if proceeding is abandoned by city. Provides that judge in condemnation proceeding shall determine and award, as part of judgment, such sum as will reimburse plaintiff for reasonable costs, disbursements and expenses, including reasonable attorney, appraisal, and engineering fees, actually incurred because of such proceeding. Provides city may offer to acquire entire tract if acquisition of part would leave owner with uneconomic remnant.

S 704 Duplicate drivers' licenses
Introducers: Crawford and Milgrom

GS 20
Sent to HY SAFETY

"To amend G.S. 20-14 to require application for duplicate license in the event of name or address change, or lost or destroyed license." Amends GS 20-14 as title indicates (now, statute does not require application for duplicate when operator changes name or address). Effective July 1, 1971.

S 705 Accident case files termination
Introducers: Crawford and Rauch

GS 20
Sent to HY SAFETY

"To amend G.S. 20-166.1 to authorize the Commissioner of Motor Vehicles to terminate old accident case files." Adds new subsection (k) to GS 20-166.1 directing DMV to establish accident case files when it receives collision reports, and authorizing the Comm'r to terminate any such file after three years if during that time the Dep't has received no notice of pending litigation or has received notice that litigation has concluded. Effective July 1, 1971.

S 706 DMV inspection fee increase
Introducers: Crawford and others

GS 20
Sent to HY SAFETY

"To amend G.S. 20-183.7 to increase the Department of Motor Vehicles' portion of motor vehicle inspection fees to thirty cents for each inspection certificate." As title indicates, increases fee from 25¢ to 30¢. Effective January 1, 1972.

HOUSE

H 1063 Life insurance cancellation
Introducer: Jones

GS 58
Sent to JUDIC 2

"To amend Article 22 of Chapter 58 of the General Statutes to allow insured to cancel life insurance on termination of beneficiary's insurable interest." Adds new GS 58-204.5 setting forth insured's right on termination of an insurable interest. Provides any person may after 60 days notice to insurer cancel contract with insurer if after contract was entered into, any beneficiary thereunder or owner of policy does not have an insurable interest in the life of such person at time notice is given.

H 1064 New car skin metal-bumper info.
Introducer: Mitchell

GS 20
Sent to ROADS

"To amend Part 3 of Article 3 of Chapter 20 to require motor vehicle dealers to disclose by stickers or decals affixed to the left window minimum and maximum skin metal

gauge and material and gauge of bumpers on new vehicles." As title indicates, with new section to apply to all new vehicles sold on or after January 1, 1972.

H 1066 Control of fishing from bridges GS 153, 113
Introducers: Mason and others Sent to COM FISH

"To authorize counties and municipalities by ordinance to prohibit or regulate fishing from any bridge." Adds GS 153-9(66) as title indicates. Deletes GS 113-265(a) (granting power to regulate fishing from bridge to Dep't of Cons. & Dev., but retaining prohibition against fishing from draw span of bridge in new GS 153-9(66)).

H 1067 Alcoholism education tax GS 18
Introducers: Mason and others Sent to FINANCE

"To provide additional funds for the prevention of alcoholism and for the education of the general public on the dangers of alcohol by increasing the tax on fortified wines." Raises the tax imposed on sale of fortified wines imposed by GS 18-85.1 from 70¢ per gallon to 75¢, and directs the proceeds from that tax increase go to the Division of Alcoholism of the Dep't of Mental Health for use in prevention of alcoholism and education of public on dangers of alcohol. Specifies that Division may use mass media to carry out purposes of act. Effective August 1, 1971.

H 1069 Beach erosion revolving fund (Iden. S 692) APPROPRIATION, GS 143
Introducer: Roberson Sent to APPROPN

"To appropriate funds to the Hurricane Flood Protection and Beach Erosion Control Project Revolving Fund." Appropriates from General Fund to Board of Water and Air Resources Hurricane Flood Protection and Beach Erosion Control Project Revolving Fund \$1,000,000 for 1971-73 biennium to be used in advances to aid counties and municipalities in financing local portion of non-federal share of planning, advance engineering work, construction, maintenance, and nourishment of constructed hurricane flood protection and beach erosion control works or projects.

H 1070 Sewage Disposal Planning Act funds (Iden. S 693) APPROPRIATION, GS 143
Introducer: Roberson Sent to APPROPN

"To appropriate funds to the North Carolina Board of Water and Air Resources to implement the Regional Sewage Disposal Planning Act of 1971." Appropriates from General Fund to Bd. of Water and Air Resources \$69,000 for fiscal 1971-72 and \$69,000 for fiscal 1972-73 for purpose of implementing Regional Sewage Disposal Planning Act of 1971. Effective September 1, 1971.

H 1071 Regional sewage revolving fund (Iden. S 691) APPROPRIATION, GS 143
Introducer: Roberson Sent to APPROPN

"To appropriate funds to the Regional Sewage Disposal Planning Revolving Fund." Appropriates \$500,000 from General Fund to Bd. of Water and Air Resources for 1971-73 biennium to aid cities, counties, and other political subdivisions in financing planning and other work on regional sewage disposal systems. Effective Sept. 1, 1971, with appropriation to be paid on that date.

H 1072 Flood and beach erosion funds (Iden. S 690) APPROPRIATION, GS 143
Introducer: Roberson Sent to APPROPN

"To appropriate funds to the North Carolina Board of Water and Air Resources to implement the Hurricane Flood Protection and Beach Erosion Control Project Revolving Fund." Appropriates from General Fund \$32,000 for fiscal year 1971-72 to be paid Sept. 1, 1971, and \$47,500 for fiscal year 1972-73 to be paid July 1, 1972 as title indicates. Effective September 1, 1971.

H 1073 Correcting GS 1A-1, Rule 55(c)
Introducer: Soles

GS 1A
Sent to JUDIC 1

"To amend G.S. 1A-1, Rule 55(c) to correct the caption." Removes words "or without the State" from caption of indicated Rule.

H 1075 Pay state salaries semimonthly
Introducers: James and others

GS 138
Sent to ST PERS

"To provide that State employees' salaries shall be paid twice monthly." Rewrites GS 138-1 to provide that all annual salaries of State employees shall be paid semimonthly (now, monthly). Effective Jan. 1, 1972.

H 1076 Creating Drug Authority
Introducers: Barker and Beatty

GS 143
Sent to JUDIC 1

"To establish the North Carolina Drug Authority." Adds new article to GS Ch. 143 establishing NC Drug Authority to coordinate State efforts related to drug abuse prevention, education, control, treatment and rehabilitation. Provides for Director and 11 member Board of Advisors: Ex officio members include Attorney General, Comm'r of Mental Health, State Health Director, Comm'r of Corrections, Comm'r of Juvenile Corrections, Superintendent of Public Instruction, Chairman of Bd. Higher Ed., Executive Dir. State Bd. of Pharmacy; Member of House appointed by Speaker, Member of Senate appointed by President Pro Tempore, and youth member appointed by Governor serve 2 yr. staggered terms. Provides for appointment of Bd. Chairman by Governor, with Bd. to select other officers from membership. Gives power to Director to coordinate functions, approve expenditures for drug abuse prevention, assist private agencies, assist in planning programs for public schools, coordinate NC's efforts to obtain fed. funds, administer Authority, appoint staff of Authority, have legal custody of records of Authority, and make annual report to Advisory Bd. which shall be transmitted to Governor and General Assembly.

H 1077 Drug Authority funds
Introducers: Barker and Beatty

APPROPRIATION, GS 143
Sent to APPROPN

"To appropriate funds for the operation of the North Carolina Drug Authority." Provides that if NC Drug Authority is created there shall be appropriated to it from the General Fund \$80,000 for fiscal 1971-72 and \$82,000 for fiscal 1972-73. Effective July 1, 1971.

H 1078 Drug rehab. centers funds
Introducers: Barker and Beatty

APPROPRIATION
Sent to APPROPN

"To appropriate funds for drug abuser rehabilitation and evaluation centers in the Department of Mental Health." Appropriates from General Fund \$760,000 for fiscal year 1971-72 and \$450,000 for fiscal year 1972-73 to Dep't of Mental Health for establishment, maintenance, and operation of Center for Evaluation, Treatment and Rehabilitation of Drug Abusers at Broughton Hospital. Appropriates from General Fund to Dep't of Mental Health \$225,000 for fiscal year 1971-72 and \$175,000 for fiscal year 1972-73 for establishment of Drug Abuser Evaluation Centers at Cherry, Dorothea Dix and John Umstead Hospitals. For related bill, see H 1033 digested in Bulletin No. 95, p. 819. Effective July 1, 1971.

H 1080 No telephone solicitations
Introducer: Wynne

GS 14
Sent to PUB UTIL

"To prohibit commercial solicitations directed to certain telephone subscribers." Allows any person who is subscriber to telephone service regulated by NC Utilities Comm'n.

to request to have letters "NS" placed before his name in listing, with the company being required to enter those letters in each directory it publishes after request. Letters indicate person does not want to receive telephone solicitations for sale of goods or giving information on sale of goods, and anyone making such solicitations to person having "NS" before his listing is guilty of a misdemeanor, punishable by up to 30 days and/or \$500 for each separate communication. Limits liability of telephone company for failure to place letters in listing to company's annual charge for basic service. Effective July 1, 1972.

H 1081 No discrimination-handicapped
Introducer: Beatty

GS 128
Sent to JUDIC 2

"To prohibit discrimination against the physically handicapped in state government employment policies." Adds new GS 128-15.3 prohibiting discrimination in hiring policies of State Personnel System against applicant based upon physical defect or impairment unless defect to some degree prevents applicant from performing duties required.

H 1082 Investment companies-taxation
Introducer: Short

GS 105
Sent to FINANCE

"To provide corporate shareholders of regulated investment companies the same treatment as now provided for individual shareholders, to allow regulated investment companies to exclude distributions made to shareholders from income tax and to provide same treatment to real estate investment trusts as for regulated investment companies." Adds paragraph to GS 105-130.5 permitting deduction in determination of State net income with respect to shareholder of regulated investment company, the portion of undistributed capital gains of such regulated investment company included in such shareholder's Federal taxable income and on which the Federal tax paid by the investment company is allowed as credit or refund to shareholder under Section 852 of the Internal Revenue Code. Amends GS 105-130.12 to include regulated investment company as entity whose income-in order not to be taxable-must be distributed by the time required by law for the filing of the return for the income year including the period of any extension granted. (Now, this only applies to real estate investment trusts.) Deletes proviso requiring amounts distributed during period not taxed under NC income tax laws to be included in computing net income. Amends GS 105-125, adding real estate investment trust to regulated investment company as entity permitted to deduct aggregate market value of its investments in stocks, bonds, debentures, or other securities or evidences of debt of other corporations, municipalities, governmental agencies, or governments. Effective January 1, 1971.

H 1083 Standard of care-clerk sup. ct.
Introducer: Short

GS 7A
Sent to COURTS

"To clarify the standard of care applicable to the Clerk of Superior Court with respect to funds received by him by virtue or color of his office." Adds GS 7A-113 providing that with respect to funds which CSC receives by virtue or color of office, clerk is not insurer or guarantor, but is liable for failure to exercise standard of care applicable to fiduciaries generally.

H 1084 Landlord-tenant jurisdiction (Iden. S 695)
Introducer: Short

GS 42
Sent to COURTS

"To amend General Statutes Chapter 42 to conform to the organizational and jurisdictional provisions of the Judicial Department Act of 1965." Deletes obsolete references to justices of the peace, constable, \$200 jurisdictional limit (under GS 7A-210 limit is now \$300), appeals to superior court (under GS 7A-228 appeals are to district court), in various sections of Chapter 42. Revises GS 42-34 to reduce defendant-appellant's undertaking to three months (now, 12 months) rent. Effective Oct. 1, 1971.

H 1085 Conforming statutes to GS 7A (Iden. S 696)
Introducer: Short

GS 17, 19, 20, 28, 30, 31, 32,
35, 36, 38, 39, 40, 41
Sent to COURTS

"To amend various sections of General Statutes Chapters 17, 19, 20, 28, 30, 31, 32, 36, 38, 39, 40, and 41 to conform to the structural and organizational provisions of the General Court of Justice as set forth in Chapter 7A." Deletes obsolete references to justice of the peace, term of court, constable, prosecuting attorney, prosecutor, recorder's court, marshalls, and cost of filing a will for safekeeping in chapters listed in title. Corrects misspelled words. Rewrites first sentence of GS 30-20 (assignment of year's allowance) to provide that personal representative of deceased shall apply to clerk of superior court to assign a magistrate to further assign the allowance (now, personal representative shall apply to justice of the peace for assignment). Effective October 1, 1971.

H 1086 (Joint Resolution) Memorializing Crouse
Introducer: Collins

MISC RES
Passed three readings
and sent to Senate

"Honoring the life and memory of R. Floyd Crouse." As title indicates.

H 1087 Nonresident tuition increase
Introducers: Watkins and others

GS 116
Sent to FINANCE

"To require nonresident students at the State's institutions of higher education to pay tuition that approximates the cost of their education." Requires tuition for undergraduate nonresidents at UNC-CH, NC State, UNC-G, UNC-C, ECU, NC A&T, WCU, ASU, NCCU, and NC School of Arts of \$1,800 per year beginning with academic year 1971-72. Requires tuition for undergraduate nonresidents at UNC-A, UNC-W, Elizabeth City State, Fayetteville State, Pembroke State and Winston-Salem State of \$1,500 per year beginning for academic year 1971-72. Requires tuition for graduate nonresidents for academic year 1971-72 of \$2,000, to be increased to \$2,500 per year for subsequent years if student is in graduate school at UNC-CH, NC State or UNC-G. Requires tuition of \$2,000 per year for nonresidents pursuing MD or DDS degrees beginning in academic year 1971-72 and for subsequent years. Requires nonresident tuition in community colleges of \$800 per year, beginning academic year 1971-72. Provides for tuition in summer sessions to be comparable with tuition charged for regular academic year. Defines nonresident as person who is not resident of North Carolina in accordance with definition of residency that may be adopted by NC Bd. of Higher Education and published in Residency Manual. Amends GS 116-143 permitting General Assembly to fix tuition or fees or to delegate this power to Bd. of Higher Education or other State agency.

H 1088 County landfill funds
Introducers: Warlick and Beard

GS 153
Sent to FINANCE

"To authorize counties to levy taxes for the operation and maintenance of solid waste collection and disposal systems and facilities as a special purpose." Adds to GS 153-

-273 provision permitting bd. of comm'rs of each county to levy taxes for special purpose of carrying out authority conferred by this section (garbage collection and disposal), in addition to rate of tax allowed by Constitution for general purposes.

H 1089 Local governm't service ret. credits
Introducer: Fulton

GS 128
Sent to ST PERS

"To amend G.S. 128-26 relating to allowance of retirement service credit on transfer from one local governmental unit to another." Amends GS 128-26(a) to require that upon transfer of employee or any employee who has heretofore transferred from nonparticipating political subdivision of NC to participating employer, employer to allow prior service and membership service credits in retirement system for earlier employment to same extent as for employees in service on date of participation.

H 1090 Grounds for divorce-insanity
Introducer: Ingram

GS 50
Sent to JUDIC 2

"To amend the provisions of G.S. 50-5(6) of the General Statutes of North Carolina relating to the grounds for divorce." Provides in divorce actions for additional means of proof of incurable insanity by statements from two or more members of staff of one of NC's accredited 4-year medical schools that at least 5 years preceding institution of action for divorce their determination was that spouse was suffering from incurable insanity, and that said insanity continued uninterrupted since such determination. Provides further that proof of incurable insanity existing after institution of action for divorce is to be furnished by testimony of two reputable physicians, one a psychiatrist on staff of one of NC's accredited four-year medical schools, and one a regularly practicing physician in community where insane person resides.

H 1091 Legislative fiscal research funds (Iden. S 645)
Introducers: Bryan and others

APPROPRIATION, GS 120
Sent to APPROPN

"To appropriate funds for the operation of the Fiscal Research Division of the Legislative Services Commission." Identical with S 645 digested in Bulletin No. 91, p. 772.

LOCAL BILLS INTRODUCED

SENATE

S 702 Mixed drinks-election
Introducers: Moore, Baugh and Knox

MECKLENBURG, GS 18
Sent to ABC

"Authorizing an election in Mecklenburg County to determine whether mixed beverages may be sold by the drink under rules and regulations promulgated by the County Board of Alcoholic Control." Bill is similar to H 635, a Moore County local, digested in Bulletin No. 62, p. 468, with following exceptions: (1) sets forth specific qualifications for "social establishment" defined in bill; (2) contains no provisions for drinks packaged in miniature containers; (3) requires 36 (not 50) seating capacity in restaurants eligible for license; (4) requires Mecklenburg County Bd. of Elections to submit to voters of County (no petition procedure) question of whether mixed beverages by drink under Comprehensive Plan adopted by County ABC Bd. shall be permitted in County; requires two issues be submitted: for or against mixed beverages by drink and for or against retaining brown-bagging if mixed beverages issue is passed; (5) notwithstanding approval of both issues, prohibits person from possessing both brown-bagging and mixed drink license at

same time; (6) permits subsequent elections but not within one year of initial election; (7) permits sale of mixed beverages during hours it is lawful to sell and consume malt beverages pursuant to GS Ch. 18 and 18A; (8) permits fine of \$50-1,000 upon licensee for each violation of act or rules or regulations of ABC Board in lieu of revocation or suspension of license.

H 1065 Sheriff's successor
Introducer: Mason

CARTERET
Sent to LOC GOVT

"To require that the Board of County Commissioners of Carteret County shall fill vacancies in the office of sheriff from a list of nominees from the executive committee of the incumbent sheriff's political party." Provides indicated procedure for filling vacancy created by death or resignation, with the list of nominees being required to contain at least three names.

H 1068 Distribution of ABC funds
Introducer: J. M. Johnson

JOHNSTON
Sent to LOC GOVT

"To distribute certain ABC funds to the county school fund of Johnston County." Provides that any undistributed Johnston County ABC funds being held according to Ch. 512, SL 1965 for the now defunct town of Wilson Mills be paid instead to the general school fund of the county.

H 1074 Shelby filing fees
Introducers: Falls and Mauney

CLEVELAND
Sent to LOC GOVT

"To increase the filing fees for the offices of mayor and aldermen of the City of Shelby." Amends Sec. 1, Ch. 252, Pub-Loc Laws 1939 increasing filing fee for mayor to \$50 and for aldermen to \$25 (now, \$5 for both) for Shelby.

H 1079 Burlington property sales
Introducers: Harris and Long

ALAMANCE
Sent to LOC GOVT

"Relating to the sale of certain tracts of property by the City of Burlington." Authorizes Burlington City Council to sell at private sale and upon terms in the best interest of Burlington citizens certain property which is described in detail in the bill. Also authorizes sale of certain other particularly described property according to the provisions of GS 160-59 (public sale by governing body; private sale to other governmental units).

H 1092 Chairman of Bd. of Comm'rs-salary
Introducer: Patton

GRAHAM
Sent to LOC GOVT

"To increase the salary of the chairman of the Graham County Board of Commissioners." Increases salary from \$100 to \$200 as title indicates.

H 1093 Gatesville town limits
Introducer: Culpepper (by request)

GATES
Sent to LOC GOVT

"To amend Chapter 639 of the Session Laws of 1953 relating to the corporate limits of the Town of Gatesville." Sets out new Gatesville town limits in detail.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 581 Handlers of farm products (digested in Bulletin No. 85, p. 707; amendment digested in Bulletin No. 93, p. 800)
Technical amendment adopted in Senate 5/26/71.

HOUSE BILLS

- H 155 Nuisances-public morals (original bill digested in Bulletin No. 18, p. 117; Committee Substitutes adopted in House 4/22/71, 4/27/71, and 5/25/71 digested in Bulletin No. 72, p. 572, Bulletin No. 75, p. 604, and Bulletin No. 95, p. 832, respectively)
Technical amendment to Committee Substitute #3 adopted in House 5/26/71.
- H 392 Arson law changes (digested in Bulletin No. 40, p. 286; Committee Substitute digested in Bulletin No. 95, p. 832)
Amendments adopted in House 5/26/71 change maximum sentence to 30 (originally 40) years and make act applicable to person setting fire to boat without owner's consent (CS made act applicable where burning by person "whether he be the owner thereof or not").
- H 484 Street closing-counties (digested in Bulletin No. 49, p. 354)
Amendments adopted in House 5/26/71 exempt from easements that county comm'rs are authorized by bill to remove from dedication those that lie within the limits of municipalities and those that are for roads and highways which are part of the State highway system.
- H 581 Closing a class with a bond (digested in Bulletin No. 59, p. 434)
Committee Substitute adopted in House 5/26/71 makes technical clarifying changes.
- H 627 Discovery of debtor's assets (digested in Bulletin No. 61, p. 456)
Committee Substitute adopted in House 5/26/71 permits additional method of discovering assets of judgment debtor prescribed in bill to be used at any time judgment remains unsatisfied and within three years from issuing execution. Adds all tax records to items which may be inspected. Provides prior notice of motion together with copy thereof be served on debtor as provided by Rules of Civil Procedure, and fact they cannot be served because debtor cannot be found or is otherwise not subject to service shall not bar hearing. Makes effective date October 1, 1971 (originally effective upon ratification).
- H 687 Repealing charters-inactive towns (digested in Bulletin No. 64, p. 492)
Amendments adopted in House 5/26/71 remove from list of towns whose charters are repealed by the bill the following: Jupiter (Buncombe County), Hildebran (Burke), Patterson (Caldwell), Atlantic (Carteret), Casar, Earl, Fallston (all three in Cleveland), Hatteras (Dare), Dellview, Mountain Island (both in Gaston), Guilford College (Guilford), Dundarrach (Hoke), Goldpoint (Martin), Archdale (Randolph), Marietta, Orrum (both in Robeson), Gold Hill (Rowan), Hasty (Scotland), Locust (Stanly), Rockford (Surry), Leasburg (Caswell), Patetown (Wayne), Hamptonville, Huntsville (both in Yadkin), Cerro Gordo (Columbus), Cashiers, Glenville (both in Jackson), Wilson Mills (Johnston), Enochville (Rowan), Coakley, Lawrence, Leggets, Mildred, Sparta or Old Sparta, Saint Lewis, Bethania (all in Edgecombe).
- H 699 Filling vacancies-county comm'rs (digested in Bulletin No. 65, p. 497)
Amendment adopted in House 5/26/71 extends period for bd. to select new member from 30 to 60 days; gives power to appoint successor in event bd. does not do so to clerk of superior court (originally, senior resident judge of judicial district in which county located); and extends from five to ten days period of time within which successor must be appointed by clerk.
- H 802 (Forsyth) Student due process-hearings (digested in Bulletin No. 75, p. 603)
Committee Substitute adopted in House 5/26/71 clarifies original bill to be sure it applies only to Winston-Salem/Forsyth County School Board and makes other technical changes.

H 900 Leg've approval-non SPA salaries (digested in Bulletin No. 83, p. 686)

Amendments adopted in House 5/26/71 make clear salaries only become effective after submitted to General Assembly and approved by General Assembly in accordance with procedure in bill, and that schedule submitted to General Assembly contain listing for existing positions during ensuing biennium.

H 914 Increased Assistant Solicitors (digested in Bulletin No. 84, p. 699)

Committee Substitute adopted in House 5/26/71 differs from original bill by providing for two instead of one full-time assistant solicitor for Sixth Judicial District (Bertie, Halifax, Hertford, Northampton), by providing four instead of three for Fifteenth (Alamance, Chatham, Orange), and by providing eight instead of seven for Twenty-Sixth (Mecklenburg).

SENATE AND HOUSE

CALENDAR ACTION

MAY 26, 1971

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 4 18 YEAR OLD MAJORITY.(5/25) S-PASSED 3RD READING.
 S. 16 FAMILY PURPOSE BOATS.(1/29, 5/14) S-CONCURRED IN H AMENDS.
 S. 63 RETIREMENT OF JUDGES-CONST.. H-PASSED 2ND & 3RD READING.
 S. 64 RETIREMENT OF JUDGES-STAT.. H-PASSED 2ND READING; H-PLACED ON CAL FOR JUNE 2.
 S. 72 DAY-CARE FACILITIES-2.(5/25) S-RE-REF COM ON APPROPN.
 S. 235 NORTHERN LATERAL SEAWARD BNDRY. H-PASSED 2ND & 3RD READING.
 S. 245 INTERSTATE PLACEMENT OF CHILDREN.(5/20) H-PASSED 2ND & 3RD READING.
 #S. 356 DEER HUNTING-BERTIE & N'HAMPTON.(5/05, 5/12) RATIFIED CH. 439.
 S. 419 (J.RES.) CHATTOOGA AS WILD RIVER. H-REPTD FAV.
 S. 489 LICENSING LIVESTOCK DEALERS.(5/24) H-REC FROM SENATE; H-REF TO COM ON AGRICULT.
 S. 526 NC PROJECTS-LOCAL INSPECTION. S-REPTD FAV.
 S. 581 HANDLERS OF FARM PRODUCTS.(5/21, 5/26) S-RECONSIDERED 3RD READING; S-RECONSIDERED 2ND READING; S-AMENDMENT RECONSIDERED; S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
 S. 603 CHEMICAL TEST REFUSAL REVOCATION. S-REPTD FAV AS AMENDED.
 S. 638 AUTO INSUR. CLASS. 260 PLAN. S-REPTD FAV.
 S. 644 CORRECTING SL 1971, CH. 363. H-REPTD FAV.
 S. 653 VEHICLE RECIPROCITY AGREEMENTS. S-REPTD FAV.
 S. 685 CATFISH CREEK EASEMENT. S-REPTD FAV.
 H. 86 CENSURE, REMOVAL OF JUDGES. S-REC FROM HOUSE; S-REF TO COM ON COURTS.
 #H. 88 RETIREMENT OF JUDGES-CONST.. H-POSTPONED INDEF.
 H. 89 RETIREMENT OF JUDGES-STAT.. H-POSTPONED TO JUNE 2.
 H. 111 \$300 AUTO ACCIDENT REPORTS.(3/24, 4/23) S-PLACED ON CAL FOR MAY 27.
 #H. 126 REDEFINED 1ST SECURITY INSTRUMENT. RATIFIED CH. 448.
 H. 155 NUISANCES-PUBLIC MORALS.(4/22, 4/27, 5/25, 5/26) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
 H. 191 FIRE INS. STAT. OF LIMITATIONS-2.(5/14) S-REPTD FAV.
 H. 302 NO SEAL, DEEDS.(5/24) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.
 H. 388 AUTO PLATES-SEPARATED SPOUSE.(5/06) S-REPTD FAV AS AMENDED.

- H. 392 ARSON LAW CHANGES.(5/25, 5/26) H-PASSED 2ND READING; H-FLOOR AMENDS ADOPTED; H-PASSED 3RD READING.
- #H. 422 INTERSTATE PLACEMENT OF CHILDREN.(5/20) H-POSTPONED INDEF.
- #H. 448 VITAL STATISTICS CHANGES.(4/13, 5/21) RATIFIED CH. 444.
- H. 482 REQUIRING EMISSION CONTROL DEVICE.(4/08, 4/15) S-PASSED 2ND & 3RD READING.
- H. 484 STREET CLOSING-COUNTIES.(5/26) H-COM AMENDS ADOPTED; H-PASSED 2ND & 3RD READING.
- #H. 511 WILDCAT PROTECTED.(5/21) RATIFIED CH. 449.
- H. 572 EXEMPTING EMCS AND TMCS. H-PASSED 2ND & 3RD READING.
- H. 581 CLOSING A CLASS WITH A BOND.(5/26) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 627 DISCOVERY OF DEBTORS ASSETS.(5/26) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 650 MINING ACT OF 1971. H-REPTD FAV.
- H. 687 REPEALING CHARTERS-INACTIVE TOWNS.(5/26, 5/26) H-COM AMEND ADOPTED; H-FLOOR AMENDS ADOPTED; H-PASSED 2ND READING; H-PLACED ON CAL FOR JUNE 2.
- H. 699 FILLING VACANCIES-COUNTY COMM'RS.(5/26) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 700 TORT CLAIMS-LOCAL LIABILITY.(5/25) H-PLACED ON CAL FOR JUNE 3.
- H. 701 TAXATION OF BANKS-2.(5/19) H-RE-REF COM ON FINANCE.
- H. 776 REMOVAL OF GRAVES.(5/05, 5/18) S-RE-REF COM ON JUDIC 1.
- #H. 783 FORESTRY AID-EXCLUDE XMAS TREES.(5/07, 5/07) S-REPTD UNFAV.
- H. 829 LICENSE REVOCATION-90 MPH.(5/05) S-REPTD FAV.
- #H. 831 DECEDENTS' ASSISTANCE CHECKS. RATIFIED CH. 446.
- H. 868 VET. SCHOLARSHIP ACC. ADJ'MENT. S-PASSED 2ND & 3RD READING.
- H. 876 (J.RES.) EXEC. REORG. AMEND-HIGHER ED. H-POSTPONED TO JUNE 3.
- H. 882 REGULATING UNC UTILITIES. H-POSTPONED TO JUNE 3.
- H. 893 VOCATIONAL EDUCATION FUNDS. H-REPTD FAV AS AMENDED.
- #H. 897 OYSTER LEASE RENTAL REFUND. RATIFIED CH. 447.
- H. 900 LEG'VE APPROVAL NON-SPA SALARIES.(5/26) H-COM AMENDS ADOPTED; H-POSTPONED TO JUNE 1.
- H. 914 INCREASED ASSISTANT SOLICITORS.(5/26) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED; H-RE-REF COM ON APPROPN.
- H. 921 ENLARGING CITY SCHOOL ADM. UNITS. H-REPTD FAV.
- H. 959 HOSPITAL FACILITIES FINANCE ACT. H-REPTD FAV AS AMENDED.
- H. 960 BARBER'S FEES. H-REPTD FAV.
- #H. 983 VOCATIONAL EDUCATION FUNDS-2. H-REPTD UNFAV.
- H. 984 HANDICAPPED CHILDREN INSTRUCTION. H-REPTD FAV.
- H.1057 CATFISH CREEK EASEMENT. H-REPTD FAV.
- H.1086 (J.RES.) MEMORIALIZING CROUSE. H-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 297 (DAVIDSON) THOMASVILLE ABC ELECTION. H-PASSED 2ND & 3RD READING.
- #S. 349 (SURRY) ABC STORES-DOBSON. RATIFIED CH. 438.
- #S. 468 (ONslow) GARBAGE FACILITIES. RATIFIED CH. 440.

- #S. 491 (POLK) TRYON CHARTER. RATIFIED CH. 441.
- #S. 508 (COLUMBUS) WHITEVILLE COLD BEER. RATIFIED CH. 442.
- #S. 527 (CARTERET, ONSLOW) WHITE OAK RIVER BRIDGE FISHING. RATIFIED CH. 443.
- S. 629 (HALIFAX) COUNTY LAW OFFICERS FUND. S-PASSED 2ND & 3RD READING.

- H. 637 (GUILFORD) GUILFORD COLLEGE ABC REGULATION. S-PASSED 2ND READING.
- H. 680 (BRUNSWICK) SOUTHPORT ABC PROFITS. S-PASSED 2ND & 3RD READING.
- H. 761 (BUNCOMBE) ABC ELECTION-BLACK MOUNTAIN. S-PASSED 2ND & 3RD READING.
- H. 802 (FORSYTH) STUDENT DUE PROCESS-HEARINGS.(5/26) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- #H. 825 (WAYNE) PIKEVILLE ELECTRIC UTILITY. RATIFIED CH. 445.
- H. 844 (HALIFAX) BD. OF EDUC. ELECTION.(5/20) S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
- H. 899 (WASHINGTON) COUNTY GARBAGE FACILITIES.(5/24) H-PASSED 3RD READING.
- H. 905 (MOORE) PINEHURST POLICE OFFICERS. S-PASSED 2ND & 3RD READING.
- H.1013 (WASHINGTON) COUNTY SCHOOL BOARD. H-REPTD FAV.
- H.1031 (WILSON) WILSON SCHOOL BD. ELECTION. H-REPTD FAV.

Next Session of House: 11:30 a.m., Thursday, May 27, 1971.

Next Session of Senate: 12 noon, Thursday, May 27, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
P. O. BOX 7294, RALEIGH, N. C.
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BULLETIN NO. 97

-853-

THURSDAY, MAY 27, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 708 Indexing crop lien-property owner
Introducer: Warren

GS 25
Sent to JUDIC 2

"To amend the U.C.C. so as to relieve the Register of Deeds of the requirement to index crop liens under the name of the record owner of the real property."
Amends GS 25-9-403(4) as title indicates by removing all references to crops so section only requires liens on fixtures to be indexed under name of record owner of land (deletes crop liens).

S 709 Heroin sale-capital offense
Introducer: Coggins

GS 90
Sent to JUDIC 2

"To amend G.S. 90-111 so as to make the sale of heroin punishable for a term of life imprisonment." Adds to GS 90-111(a) provision that any person unlawfully selling heroin shall upon conviction be guilty of a felony and shall be sentenced by the court to a term of life imprisonment. (Now, first conviction punishable by 5 yr. maximum, second conviction, 5 to 10 yrs., third and subsequent convictions, 15 years to life.)

S 710 Sales tax on professional services
Introducer: Killian

GS 105
Sent to FINANCE

"To impose a retail tax upon gross receipts from certain professional services."
Adds new GS 105-164.4(5) imposing tax of 3% of gross receipts derived from services rendered in engaging in following occupations and professions: consulting engineers, architects, accountants, auditors, attorneys, realtors, medical doctors and dentists "including but not limited to surgeons, ophthalmologists, optometrists, psychiatrists, chiropractors, osteopaths and veterinarians." Tax limited to gross receipts derived from rendering services and not applicable to labor involved in manufacturing or fabrication of tangible personal property. Excludes individuals serving as employees who do not perform professional services or labor on own account. Provides if tax has been paid under another section of GS 105, Art. 5 on any portion of charges taxed hereunder, no additional tax shall accrue with respect to that portion. Requires every person, firm or corporation subject to act to register and secure a license pursuant to procedures in article, and makes tax an additional privilege license tax for privilege of engaging in professions listed above. Removes exemption provided by GS 105-164.13(18) (funeral expenses other than services). Conforms numbering of GS 105-164-4(5), (6), and (7). Effective July 1, 1971.

S 711 Judgments in divorce actions
Introducer: McGeachy

GS 50
Sent to JUDIC 2

"To amend Chapter 50 of the General Statutes by adding a section relating to judgment in divorce actions." Adds new GS 50-10.1 providing judgment in divorce action may contain such provisions as judge in his discretion deems appropriate relating to



custody, support, and maintenance of minor children of marriage, and requires that if there are no minor children judgment to so state.

S 712 License plates-citizens radio (Iden. H 1098) GS 20
Introducers: Strickland and others Sent to HY SAFTY

"To amend G.S. 20-81.1 relating to special plates for amateur radio operators and class D citizens radio stations." Identical with H 1098 digested House section of today's Bulletin.

HOUSE

H 1094 Mutual insur. co. directors GS 58
Introducer: Eagles Sent to INSUR

"Amending General Statutes pertaining to directors in mutual companies." Amends GS 58-95 to provide directors need not be residents of NC or members of the company. (Now, two-thirds of directors must be citizens of NC.)

H 1095 Mutual insur. companies capital GS 58
Introducer: Eagles Sent to INSUR

"Amending General Statute 58-96 pertaining to the guaranty capital of domestic mutual insurance companies and the dividend stockholders shall receive." Amends GS 58-96 to raise maximum amount of guaranty capital of mutual insurance company to \$1,000,000 (now, \$300,000) and raises maximum amount of annual dividend to stockholders to 10% (now, 8%).

H 1096 Turner tort claim APPROPRIATION, GS 97
Introducer: Gentry Sent to MFR LABR

"To authorize the Industrial Commission to review a certain tort claim." Authorizes award of up to \$50,000 to be paid from General Fund to Eunice D. Turner for injuries sustained in auto accident with State vehicle and not compensated fully under NC Tort Claims Act, precise amount of award, if any, to be determined by NC Indust. Comm'n after hearing.

H 1097 Beer, wine and liquor permits GS 18
Introducers: Hege and others Sent to ABC

"To require the State Board of Alcoholic Control to furnish law enforcement officers a list of all permits issued by the Board." Amends GS 18-39 to require Bd. of Alcoholic Control, during Jan. of each year, to mail to all sheriffs and chiefs of police a list of permits issued in each officer's jurisdiction. Requires written notification by Bd. of additional permits issued during year.

H 1098 License plates-citizens radio (Iden. S 712) GS 20
Introducers: R. Brown and Mitchell Sent to ROADS

"To amend G.S. 20-81.1 relating to special plates for amateur radio operators and class D citizens radio stations." Amends GS 20-81.1 to provide special license plates for amateur radio operators and class D citizens radio stations (now, only amateur radio operators), and requires additional \$3 fee to purchase Class D Citizens Radio Station License.

H 1099 NC Housing Corporation Act-amend. GS 122A
Introducer: Stevens Sent to JUDIC 2

"To amend the provisions of the North Carolina Housing Corporation Act." Amends GS 122A-7(3)(a) to permit Housing Corp. to participate in loans where federal agency has

agreed to insure or make mortgage loan (now, only if fed. agency agrees to insure mortgage). Deletes phrase from GS 122A-7(3)(b) requiring security interest of private banks to be subordinate to Corp.'s security interest.

H 1101 Central Prison-persons under 16
Introducer: Jones

GS 148
Sent to JUDIC 2

"To modify the provisions for sentencing persons convicted of a felony to Central Prison when the person is under sixteen years of age." Amends GS 148-28 to provide that a person under sixteen convicted of a felony shall not be sentenced to Central Prison unless convicted of a capital felony or has previously been imprisoned in county jail or under Dep't of Correction's authority for conviction of criminal offense. Provision does not limit Comm'r of Correction from transferring person under sixteen to Central Prison if person would not benefit from confinement in youthful offenders' facilities or it has been determined that his presence is detrimental to programs for other youthful offenders. Does not limit judges' authority or that of Comm'r of Correction to commit or transfer person under sixteen to Central Prison for medical or psychiatric treatment.

H 1102 Husband-wife tort actions
Introducer: Twiggs

GS 52
Sent to JUDIC 2

"To provide that the substantive law of North Carolina will apply in actions between husband and wife where the accident occurs outside the State." Amends GS 52-5.1 as title indicates.

H 1103 Transfer Capitol Police to SBI
Introducer: Twiggs

GS 129, 114
Sent to ST GOVT

"To transfer the State Capitol Police from the Department of Administration to the State Bureau of Investigation." Transfers duties of GS 129-4(6) and (7) as title indicates, with all 1969 appropriations for Capitol Police also being transferred. Effective July 1, 1971.

H 1105 Income tax-use of federal base
Introducers: M. Smith and others

GS 105
Sent to FINANCE

"To rewrite Divisions II and III of the Income Tax Article to provide for the use of the federal income as a base for the determination of state income tax for individuals, estates, and trusts." Creates North Carolina Personal Income Tax Act. Imposes tax on every individual, estate and trust, excluding partnerships, associations taxable as corporations, and trusts which are exempted from income tax. Provides following rate tables for individuals:

If NC taxable income is:
Not over \$2,000

The tax is:
3% of taxable income

Over \$ 2,000 but not over \$ 4,000
Over 4,000 but not over 6,000
Over 6,000 but not over 10,000
Over 10,000

\$ 60 plus 4% of amt. over \$ 2,000
140 plus 5% of amt. over 4,000
240 plus 6% of amt. over 6,000
480 plus 7% of amt. over 10,000

Provides following rate tables for married people filing joint returns:

If NC taxable income is:
Not over \$4,000

The tax is:
3% of taxable income

Over \$ 4,000 but not over \$ 8,000
Over 8,000 but not over 12,000
Over 12,000 but not over 20,000
Over 20,000

\$120 plus 4% of amt. over \$ 4,000
280 plus 5% of amt. over 8,000
480 plus 6% of amt. over 12,000
960 plus 7% of amt. over 20,000

Provides for 5% surtax beginning Jan. 1, 1973. Provides for definitions used to have same definition as in federal law, unless different meaning is clearly required, or specific definition is used in act. Defines "resident individual" as individual domiciled in NC, unless he maintains no permanent place of abode in NC, and does maintain one elsewhere and spends not more than 30 days of taxable year in NC, or one not domiciled in NC, but maintains permanent place of abode in NC and spends more than 183 days in NC (exception for members of armed forces stationed in NC). Defines "nonresident individual" as individual who is not resident of NC. Defines "resident estate or trust" as (1) estate of decedent, who at time of death was domiciled in NC; (2) trust, or portion of trust, consisting of property transferred by will of decedent who at death was domiciled in NC; and (3) trust, or portion of trust created by person domiciled in NC. Provides for taxable year, accounting methods, and changes to be same as for federal purposes. Prevents double taxation or deductions during transition.

Provides for taxable income to be NC adjusted gross income less NC deductions and exemption. Provides for husband and wife to file NC return using same method used for federal return. Defines NC adjusted gross income as same as federal, with certain exceptions. Provides for NC standard deduction of individual or married couple filing jointly to be lesser of 10% of NC A/G/I or \$1,000; the standard deduction of a married person filing separate return not to exceed \$500. Permits itemized deductions, but both husband and wife have to use itemized deduction if either uses it. Provides for \$700 personal exemption, raised to \$750 in years beginning Jan. 1, 1973. Provides for partnerships to be treated as in federal law. Provides for taxable income of resident trust or estate to be same as for federal tax, with adjustments for resident beneficiaries, providing for credit for tax paid by estate or trust. Provides for credit for tax paid in another state or county.

Provides for taxation of non-resident to be NC A/G/I less NC deductions, less personal exemption. NC A/G/I to be sum of net amount of items of income derived from or connected with NC sources (ownership of interest in real or tangible personal property in NC business, trade, profession or occupation carried on in NC, income from intangible personal property to extent it is from property employed in or occupation carried on in NC). Provides for deductions for capital loss, etc., to be determined in accordance with federal law and for income derived as shareholder of crop which elected Subchapter S, undistributed income not to constitute income, or will losses therefrom constitute deductions. Permits non-resident same standard or itemized deduction and personal exemption, with provision for pro rata. Includes provisions for non-resident partners. Provides for taxation of non-resident estates and trust and beneficiaries generally on a pro rata basis.

Requires returns to be filed by: (1) every resident individual required to file federal return, or having NC A/G/I in excess of personal exemption; (2) every resident estate or trust required to file federal return or having NC taxable income; (3) every non-resident individual having NC A/G/I in excess of prorated NC personal exemption; and (4) every non-resident estate or trust having income or gain derived from NC sources. Requires executor or administrator to file for decedent, guardian for person under disability and fiduciary for estate or trust. Fixes time and place of filing. Requires taxpayer to report change made in federal return within 90 days. Requires declaration of estimated tax if NC A/G/I, other than from wages, can reasonably be expected to exceed \$500 plus personal exemption to which he is entitled. Changes computation of penalty for low estimate by increasing basis from 70% to 80%. Makes other technical conforming changes. Effective Jan. 1, 1972.

H 1106 Unlawful school absences
Introducer: McDaniel

GS 115
Sent to EDUCATN

"To amend G.S. 115-166 to prohibit any person from encouraging, enticing, or counselling a child to be unlawfully absent from school." As title indicates.

H 1109 Poultry Products Inspection Act
Introducer: Auman

GS 106
Sent to AGRICULT

"To provide for the compulsory inspection of poultry and poultry products."

Establishes procedure for inspection of poultry and poultry products to regulate processing and distribution thereof to prevent movement or sale in intrastate commerce of poultry or poultry products which are adulterated or misbranded. Defines in detail circumstances rendering poultry products "adulterated" including references to Sections 408, 409, and 706 of Federal Food, Drug, and Cosmetic Act, and defines other key terms. Sets forth requirements for information needed to be contained on label. Requires NC Dept. of Ag. to cooperate with U.S. Secretary of Ag. in carrying out provisions of Sec. 5 of Federal Poultry Products Inspection Act, in developing and administering poultry products inspection program under this act, and in effectuating purposes of this act and federal act. Authorizes Dept. of Ag. to (1) accept federal assistance in planning and developing state program, technical and laboratory assistance, training, and financial aid; (2) spend public funds of State appropriated for administration of act to pay 50% of estimated total cost of cooperative program; (3) recommend to U.S. Sec. of Ag. officials or employees for appointment to advisory committees provided for in federal act.

Requires Comm'r of Ag. to cause to be made: (1) to extent considered necessary ante-mortem inspections of poultry in each establishment engaged in processing poultry or poultry products solely for intrastate commerce; (2) post-mortem inspection of carcass of each bird processed and at any time quarantine, segregate, and reinspect such poultry; (3) condemn all poultry and poultry products found to be adulterated, and if no appeal taken, to destroy same under supervision of inspector (if appealed, appeal inspection required before adulterated items may be destroyed). Permits reprocessing under supervision of inspector if that will make items not adulterated.

Provides for promulgation of regulations by NC Bd. of Ag. governing sanitation of poultry slaughtering and processing premises and prohibits poultry inspection in any establishment not in compliance with regulations. Requires poultry inspected under act and found not adulterated to bear labels containing required information set out in act at time they leave processing establishment. Authorizes Ag. Bd. to issue regulations governing styles, sizes, and types of labels permitted to avoid false and misleading labeling, and permits Comm'r to prohibit use of type of marking, labeling, or container if false or misleading (subject to hearing and right of appeal to Superior Court of Wake County pursuant to GS Ch. 143, Art. 33).

Makes it unlawful to: (1) sell in intrastate commerce poultry which is labeled or packaged so as to be false and misleading; (2) slaughter or process poultry capable of use as human food at any establishment processing such articles solely for intrastate commerce not in compliance with act; (3) sell, transport, offer for sale or transportation, or receive for transportation in intrastate commerce (a) any poultry products capable of use as human food which are adulterated or misbranded at time of such sale, transportation etc. and (b) any poultry products required to be inspected unless they have been so inspected and passed; (4) do to poultry products any act while they are being transported in intrastate commerce or held for sale after such transportation which is intended to cause or has effect of causing such products to be adulterated or misbranded; (5) sell, transport etc. any slaughtered poultry from which the blood, feathers, feet, head or viscera have not been removed in accordance with regulations of Bd. Sets forth violations dealing with counterfeiting any official mark, label, device or certificate or destroying or altering same. Permits slaughtering, processing, and

transportation of poultry not in compliance with above if poultry not intended for use as human food and such is denatured or otherwise identified as such in accordance with rules issued by Bd. Requires persons engaged in slaughtering, processing, freezing, packaging, buying, selling, poultry to keep prescribed records, and prohibits person from doing business as poultry products broker, renderer, animal food manufacturer, wholesaler of carcasses or parts thereof of poultry without registering with Comm'r. Authorizes Bd. to issue regulations governing transactions and handling in dead or dying, disabled or diseased poultry. Punishes all of above by maximum \$1,000 fine and/or one year imprisonment, but if intent to defraud is involved, punishable by \$10,000 maximum fine and/or three year imprisonment. Exempts carrier from act's provisions unless it has reason to know poultry products cargo is in violation of act. Permits Bd. to issue regulations exempting certain classes of people from act (retail dealers whose only processing operation is cutting up of poultry on premises where sales to consumers made, processing in connection with recognized religious dietary laws, raising and processing of poultry solely for home consumption, etc.). Permits Comm'r to refuse to inspect establishment if after hearing he determines applicant for such service is unfit to engage in poultry business because has been convicted of felony under act within previous 10 years.

Permits detention up to 20 days of poultry products in intrastate commerce pursuant to condemnation proceedings instituted upon affidavit in superior court. Authorizes Comm'r to gather and compile from time to time information on poultry industry practices and require persons engaged therein to file special reports, attend hearings, etc. Grants Comm'r subpoena power. Upon application of Attorney General at request of Comm'r, gives superior court jurisdiction to issue writs of mandamus to force compliance with act. Makes act applicable to domesticated rabbits. Effective 30 days after ratification.

H 1110 Dep't of Family Medicine-UNC
Introducers: Beatty and others

APPROPRIATION, GS 116
Sent to APPROPN

"Creating the U.N.C. Department of Family Medicine and appropriating certain funds thereto." Creates at UNC Medical School a Dep't of Family Medicine (which is not to be abolished or curtailed without authority from General Assembly) and appropriates from the General Fund for the use thereof \$200,000 for fiscal 1971-2 and \$300,000 for fiscal 1972-3. Effective July 1, 1971.

H 1111 Advertising sale of subdivisions
Introducers: Cobb and others

GS 147, 153, 160
Sent to JUDIC 2

"Providing for the regulation of advertising, sale or exchanges in this State of certain real estate subdivisions." Establishes procedure requiring property report be furnished to purchaser before sale of lot in subdivision containing 25 or more lots being contiguous or known as a common unit and being offered in a common promotional plan, with exceptions from act for government sales, sales by court order, sales in subdivisions where each lot is five acres or more in size, sales in isolated transactions by previous buyer, sales for business purposes by buyer who purchased for that reason, sale of cemetery lots, offers or dispositions of mortgages or deeds of trust or of securities, and sales of subdivisions already consisting entirely of improved land with structures or requiring building of structures within two years. Also exempts subdivisions registered under Federal Interstate Land Sales Full Disclosure Act upon filing with Sec'y of State of copy of statement of record filed with HUD and upon payment of \$100 fee.

Authorizes Sec'y of State to make further exemptions when coverage of act not needed in public interest. Makes it unlawful (\$1,000 to \$5,000 for each violation) for developer of subdivision or his agent to sell, lease or dispose of lot without first filing statement of record on subdivision with Sec'y and furnishing buyer with proper report (contents of which are indicated below), with buyer also having option to void contract within 48 hours after being signed if report was not received more than 48 hours before signing (the act also requiring that fact to be stated in contract). Allows irrevocable contract if buyer stipulates in writing at time of signing that he has received, read and understood report and has inspected lot. Provides for registration of subdivision with Sec'y of State by filing statement of record and paying fee of \$150 for first 100 lots plus \$1 for each lot between 100 and 1,000 plus 50¢ for each lot over 100. Requires following information in statement of record: (1) name and address of each person with interest in subdivision, and extent of interest; (2) legal description of subdivision, statement of topography, and map showing proposed lots with relationship to existing roads; (3) conditions and encumbrances of title including blanket encumbrances on subdivision; (4) range of selling prices of lots; (5) availability of utilities, plans for improvements, access of subdivision and proximity to existing municipalities; (6) copies of articles of incorporation or of partnership of developer; (7) copies of developer's deed and of any lien or encumbrance; (8) copies of conveyances to be used and copies of instruments to be used to create easements or restrictions; (9) financial statements of developer required by Sec'y; and (10) other information and documents required by Sec'y (items (6) through (9) may be excluded from buyer's property report in discretion of Sec'y). Allows Sec'y to suspend effective date of statement if any part appears to him to be incomplete, inaccurate or untrue, with procedures for appeal by developer. Allows Sec'y to inspect property and require presentation of records and appearance of developer and agent or other witnesses. Prohibits promotional use of property report before it becomes effective, and then only if used in entirety. Authorizes civil suit against developer or agent by buyer when lot sold without property report being filed or buyer being shown statement of record, or where material fact has been misstated, with damages being set at difference between amount paid for lot and the value at the time of the suit, or the bona fide price before suit, or the bona fide price after suit, whichever is less, the recovery being limited to purchase price plus cost of improvements and court costs including attorney's fees. Requires suit to be brought within one year of time discovery of misstatement was or should have been made, (with outside limit of three years) or within two years of sale without report. Authorizes Sec'y to intervene in suit, with developers being required to furnish notice of suit and copies of pleadings. Provides for revocation or suspension of broker's and real estate salesmen's licenses for violation of act. Authorizes Sec'y to adopt appropriate rules and regulations, and makes any violation of act subject to \$1,000 to \$5,000 fine. Effective Jan. 1, 1972.

H 1112 Limited driving privilege
Introducer: Fulton

GS 20
Sent to HY SAFTY

"To impose conditions upon the issuance of limited driving privileges to persons convicted of drunk driving." Amends GS 20-179(b)(1) to provide that no limited driving privilege may become effective earlier than 60 days following the date of conviction of driving under influence, and that every limited driving privilege must contain a condition that recipient shall not drive after consuming any intoxicating beverage and while alcohol from such beverage remains in his blood. Makes conforming changes in GS 20-179(b)(2). Effective Sept. 1, 1971.

LOCAL BILLS INTRODUCED

SENATE

S 707 Restrict fox hunting
Introducer: Burney

NEW HANOVER
Sent to WILDLIFE

"To prohibit fox hunting with dogs in the southern portion of Federal Point

Township, New Hanover County." As title indicates. Punishment for violation \$50/60 days

HOUSE

H 1100 Number of hospital commissioners MECKLENBURG, GS 131
Introducers: Vogler, Beatty, Campbell, Cobb, Sent to LOC GOVT
Foley, Hicks and Lawing

"To amend Chapter 131 of the General Statutes as it pertains to Mecklenburg County." Amends GS 131-94 as to Mecklenburg County only to provide that on and after July 1, 1971 the hospital authority shall consist of 24 commissioners (now, 18) subject to that number being increased pursuant to GS 131-115.

H 1104 Hickory annexation CATAWBA
Introducers: Warlick and Beard (by request) Sent to LOC GOVT

"To amend the charter of the City of Hickory, Chapter 323 of the Session Laws of 1961, to provide for voluntary annexation of areas not contiguous to the city boundaries." Sets out procedure for annexation to Hickory of territory not contiguous to municipal boundaries but within Catawba, Burke, Caldwell or Alexander Counties and within three miles of city limits, so long as territory is not within boundaries or zoning jurisdiction of any other municipality. Gives procedure as follows: petition with description of territory, investigation and certification of sufficiency, public hearing, and finding by aldermen that public interest will best be served by annexation and that city will be able to provide equivalent services to new area. Allows higher water or sewer rates to noncontiguous area annexed, and provides that annexation by itself does not make new area part of City School Administrative Unit. Provides that areas annexed under act are not to be considered part of Hickory corporate limits for purpose of subsequent annexations pursuant to GS Ch. 160. Prohibits annexations of areas contiguous to areas annexed under act unless area to be annexed is also contiguous to regular corporate boundaries.

H 1107 Transfer of surplus funds GRAHAM
Introducer: Patton Sent to LOC GOVT

"To authorize the transfer of surplus funds from the debt service account to the general fund of Graham County." As title indicates, authorizes transfer of \$20,000 for payment of welfare costs.

H 1108 Murphy town limits CHEROKEE
Introducer: Patton Sent to LOC GOVT

"Setting the corporate limits of the Town of Murphy in Cherokee County." As title indicates, sets forth boundaries in detail.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

None

HOUSE BILLS

H 156 Retail Installment Sales Act (digested in Bulletin No. 18, p. 117)
Committee Substitute adopted in House 5/27/71 differs from original bill in following respects: (1) Adds new section limiting scope of act, except for referral

sales section, to transactions subject to Federal Truth-in-Lending Act, and exempting from act bona fide direct loan transactions in which lender is not regularly engaged in sale of goods or furnishing of services. (2) Redefines "consumer credit sale" to exclude sales in which seller is not engaged in extension of consumer credit in ordinary course of business, and to exclude sales in which amount financed is more than \$25,000. (3) Redefines "payable in installments" to exclude all debts with less than four installments. (4) Removes specific exclusion from "services" of professional services and educational services, and requires that insurer be licensed to do business in State to come within exclusion from that definition. (5) Redefines "cash price" to exclude amounts paid by seller for fees. (6) Redefines "finance charge" to include interest, to specifically exclude substitution of collateral fees, and to more specifically indicate which additional charges for insurance are excluded. (7) Redefines "amount financed" to exclude official fees to the extent that they are not itemized and disclosed to the buyer. (8) Redefines "revolving charge account contract" to exclude those contracts under which buyer does not have the privilege of paying the balance in full or in installments. (9) Provides that finance charges for revolving charge account contracts secured by interest in real property may not exceed 12% per annum. (10) Changes permissible finance charges on credit installment sales contracts to 22% where amount financed is less than \$1,500, 20% on amount between \$1,500 and \$2,000, 18% on amount between \$2,000 and \$3,000, 16% on amount between \$3,000 and \$5,000, and 14% on amount greater than \$5,000. Adds new provision allowing charge of up to 29% per annum on contract repayable in not less than six installments for motor vehicle three years or older at time of sale and with total amount financed of less than \$1,500. (11) Adds new provision prohibiting charge from exceeding 12% per annum when contract is secured by security interest in real property. (12) Raises transfer of equity fee from \$5 to 10% of unpaid balance or \$35, whichever is less. (13) Allows acceleration for breach by buyer of any promise or condition clearly set forth in agreement (originally, for default by buyer). (14) Allows seller to be awarded attorney's fees in successful suit against buyer, with similar provision if buyer prevails (no provision if buyer initiates suit). (15) Removes requirement of release of security interest within 15 days of completed payment, instead handles matter according to existing statutes. (16) Reduces from \$2,000 to \$1,000 the value of real property which is required before seller may take a security interest, and adds motor vehicles to which repairs are made and for which the financing is more than \$100 to list of property in which security interest may be taken. (17) Eliminates buyer's right to assert defenses against seller's assignee unless notice of defenses is given within 30 days after receiving notice of assignment. (18) Allows substitution of collateral under security interest if all parties agree, with seller being allowed to impose fee for substitution. (19) Eliminates section setting out restrictions on deficiency judgments in consumer credit sales. (20) Rewrites section on application of payments to provide for specific schedule of proportionate applications according to original cash prices of goods. (21) Eliminates specific form for consumer credit installment sale contracts. (22) Allows default charges after 10 days instead of after 15, allows charge of \$6 rather than \$5, and raises from 30 to 45 days the period after which seller is deemed to have waived charge. (23) Removes requirement that deferral or refinancing or consolidation agreement make reference to contract to which it applies, and raises from 1 to 1 1/2% rate for deferral charge. (24) Rewrites section on rebates on prepayment to generally lessen the amount of rebate. (25) Sets new terms of payments as follows: 38 months if amount financed is less than \$1,500, 50 months if between \$1,500 and \$3,000, 86 months if between \$3,000 and \$5,000, 146 months if between \$5,000 and \$10,000, and as the contract provides if over \$10,000. (26) Provides exception from balloon payments restriction for final payment of up to 25%. (27) Limits requirement to provide buyer with statement of account to situations in which buyer offers to repay the debt early, and adds requirement that statement be provided within 30 days if requested for income tax purposes. (28) Adds requirement that buyer tender to seller any tangible goods made basis of sale before referral sale is nullity. (29) Adds to exclusions from home solicitation sales those sales made to

buyer who has engaged in similar transaction with seller, sales regulated by specific provisions of Consumer Credit Protection Act, and specific sales of motor vehicles and funeral services. (30) Requires buyer to return goods to seller at seller's expense before he can cancel home solicitation sale, and raises from 10 to 30 days the period in which buyer can cancel if he has not received goods; tender requirement does not apply if seller's business is located more than 25 miles from residence of buyer. (31) Defines "unconscionable" as totally unreasonable under all the circumstances. (32) Limits liability of seller's assignee when finance charge is made at rate double that allowed. (33) Eliminates provision that violation of act is misdemeanor.

H 388 Auto plates-separated spouse (digested in Bulletin No. 40, p. 285; amendments digested in Bulletin No. 82, p. 679)
Clarifying amendment adopted in Senate 5/27/71.

H 650 Mining Act of 1971 (Identical with S 400 digested in Bulletin No. 62, p. 464)
Amendment adopted in House 5/27/71 deletes requirement that surety be corporation

H 705 Coastal protection, beach erosion (Identical with S 431 digested in Bulletin No. 66, p. 504)

Committee Substitute adopted in House 5/27/71: (1) adds section amending GS 104B-10, to authorize State agencies as well as landowners to appeal to board of county commissioners from grant or denial of permit to alter sand dune by shoreline protection officer; (2) makes references to "hurricane flood protection" uniform throughout bill (rather than "hurricane and flood protection"); (3) makes provisions concerning city and county financing statewide rather than applying only in coastal counties; (4) eliminates reference to orders regulating "pollution"; and (5) makes technical changes.

H 755 (Joint Resolution) N.C. **employee** in-service training (digested in Bulletin No. 70, p. 548)

Amendment adopted in House 5/27/71 specifies that it is policy of the State for all State agencies to use all means available and to expend funds to extent available subject to any limitations affecting State appropriations for occupational and professional development of teachers, faculty members and State employees. (Originally, limitation not specified.)

H 855 Foresters registration (Identical with S 543, digested in Bulletin No. 80, p. 649)

Amendments adopted in House 5/27/71: (1) establish Board per diem and allowances as provided by GS 138-5; (2) require graduation with bachelor's or higher degree from school or college of forestry approved by Bd. as one of registration requirements; and (3) delete section in bill exempting registered forester from provisions of GS 93A-6 and making it unlawful for forester to sell standing timber.

SENATE AND HOUSE

CALENDAR ACTION

MAY 27, 1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- #S. 16 FAMILY PURPOSE BOATS.(1/29, 5/14) RATIFIED CH. 450.
#S. 63 RETIREMENT OF JUDGES-CONST.. RATIFIED CH. 451.
S. 115 DRIVERS-CONVICTION OUTSIDE STATE.(5/07) H-REPTD FAV AS AMENDED.
S. 120 PROPERTY TAX RELIEF TO AGED. S-REPTD FAV AS AMENDED; S-PLACED ON CAL FOR MAY 31.
#S. 235 NORTHERN LATERAL SEAWARD BNDRY. RATIFIED CH. 452.
#S. 245 INTERSTATE PLACEMENT OF CHILDREN.(5/20) RATIFIED CH. 453.
S. 275 SALE OF UNCLAIMED VEHICLES.(4/16, 4/20) H-REPTD FAV.
S. 385 STATE-OWNED VEHICLE-TAGS.(5/04, 5/04) H-PASSED 2ND & 3RD READING.
S. 452 PROTECT THE PANTHER. H-PASSED 2ND & 3RD READING.
S. 475 STATE PURCHASES AND CONTRACTS. H-REPTD FAV AS AMENDED.
S. 484 ARCHIVES AND HISTORY-LAW REWRITE.(5/07) H-REPTD FAV AS AMENDED.
S. 511 (J.RES.) NC TRANSPORTATION STUDY. H-PASSED 2ND & 3RD READING.
S. 526 NC PROJECTS-LOCAL INSPECTION. S-PASSED 2ND & 3RD READING.
S. 551 CLARIFYING CH.218,SL 1971.(5/19) H-REPTD FAV.
S. 557 PHARMACIST GENERAL LICENSE. H-REPTD FAV AS AMENDED.
S. 558 PHARMACIST INTERN LICENSE. H-REPTD FAV AS AMENDED.
S. 559 PHARMACISTS TEMPORARY RECIPROCITY. H-REPTD FAV.
S. 571 QUAIL PROPAGATION AND SALE-2.(5/20) H-REPTD FAV.
S. 580 BOUNTY ON DRUG TRAFFICKERS. S-RECALLED FROM COM; S-RE-REF COM ON JUDIC 1.
S. 581 HANDLERS OF FARM PRODUCTS.(5/21, 5/26) H-REF TO COM ON AGRICULT.
S. 603 CHEMICAL TEST REFUSAL REVOCATION. S-PLACED ON CAL FOR JUNE 3.
S. 606 AREA MENTAL HEALTH PROGRAMS. H-REPTD FAV.
S. 607 COMMIT MENTALLY ILL-INEBRIATE. H-REPTD FAV.
S. 609 INTERNATIONAL COOPERATION COMM'N. S-REPTD FAV AS AMENDED.
S. 619 INSPECTION OF BAKERIES. H-REPTD FAV.
S. 620 NO COLORING OF WHITE BREAD. H-REPTD FAV.
S. 638 AUTO INSUR. CLASS. 260 PLAN. S-PASSED 2ND & 3RD READING; S-RECONSIDERED 3RD READING.
S. 653 VEHICLE RECIPROCITY AGREEMENTS. S-PASSED 2ND & 3RD READING.
S. 685 CATFISH CREEK EASEMENT. S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PASSED 2ND & 3RD READING.
S. 695 LANDLORD-TENANT JURISDICTION. S-REPTD FAV.
S. 696 CONFORMING STATUTES TO GS 7A. S-REPTD FAV.

- H. 111 \$300 AUTO ACCIDENT REPORTS.(3/24, 4/23) S-RE-REF COM ON JUDIC 2.
- H. 156 RETAIL INSTALLMENT SALES ACT.(5/27) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED; H-PLACED ON CAL FOR JUNE 1.
- H. 191 FIRE INS. STAT. OF LIMITATIONS-2.(5/14) S-PASSED 2ND READING.
- #H. 249 MOREHEAD SCHOOL ANNUITIES. H-REPTD UNFAV.
- H. 388 AUTO PLATES-SEPARATED SPOUSE.(5/06, 5/27) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- H. 470 AUTO INSPECTION REQUIREMENTS.(3/31, 3/31, 5/19) H-REPTD FAV.
- #H. 482 REQUIRING EMISSION CONTROL DEVICE.(4/08, 4/15) RATIFIED CH. 455.
- H. 572 EXEMPTING EMCS AND TMCS. S-REC FROM HOUSE; S-REF TO COM ON PUB UTIL.
- H. 581 CLOSING A CLASS WITH A BOND.(5/26) H-PASSED 2ND & 3RD READING.
- H. 627 DISCOVERY OF DEBTORS ASSETS.(5/26) H-PASSED 2ND & 3RD READING.
- H. 650 MINING ACT OF 1971.(5/27) H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING.
- H. 694 DRIVER'S LICENSE RE-EXAM.(5/27) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 705 COASTAL PROTECTION,BEACH EROSION.(5/27) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 750 ANIMAL QUARANTINE PROCEDURES. H-PASSED 2ND & 3RD READING.
- H. 751 FEEDING GARBAGE TO SWINE. H-PASSED 2ND & 3RD READING.
- H. 755 N.C. EMPLOYEE IN-SERVICE TRAINING.(5/27) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 782 POLL BOOK,VOTING RECORDS. H-POSTPONED TO JUNE 1.
- H. 795 STATE PURCHASES AND CONTRACTS. H-REPTD FAV.
- #H. 829 LICENSE REVOCATION-90 MPH.(5/05) S-PLACED ON CAL FOR MAY 31; S-TABLED.
- H. 855 FORESTERS REGISTRATION.(5/27) H-COM AMENDS ADOPTED; H-PASSED 2ND READING.
- #H. 868 VET. SCHOLARSHIP ACC. ADJ'MENT. RATIFIED CH. 458.
- #H. 909 PROBATIONARY DRIVERS' LICENSE-2. H-REPTD UNFAV.
- H. 978 PLUMBING-HEATING CONTRACTORS. H-REPTD FAV.
- H. 990 CIVIL AIR PATROL LICENSE PLATES. H-REPTD FAV AS AMENDED.
- H.1003 CAPITAL,SURPLUS-INSUR. CO.. H-REPTD FAV AS AMENDED.
- H.1009 CORRECTING ADMINISTRATORS' TITLES. H-REPTD FAV.
- H.1015 ELECTION OFFICIALS' PAY. H-REPTD FAV.
- H.1027 LICENSE FEE-CHIROPRACTOR. H-REPTD FAV.
- H.1032 MOREHEAD COMMISSION POWERS. H-REPTD FAV.
- H.1036 DISEASED ANIMALS RUNNING AT LARGE. H-REPTD FAV.
- H.1045 FEE INCREASE FOR CERTIFIED COPY. H-REPTD FAV.
- H.1048 BLIND COMMISSION STUDY. H-REPTD FAV; H-RE-REF COM ON APPROPN.
- #H.1057 CATFISH CREEK EASEMENT. H-POSTPONED INDEF.
- H.1086 (J.RES.) MEMORIALIZING CROUSE. S-REC FROM HOUSE; S-REF TO COM ON RULES.

LOCAL BILLS

- #S. 297 (DAVIDSON) THOMASVILLE ABC ELECTION. RATIFIED CH. 454.
- S. 608 (ROCKINGHAM) BOARD OF HEALTH PAY. H-REPTD FAV.
- S. 610 (WAKE) TAX SUPERVISOR AND TAX COLLECTOR. H-REPTD FAV.
- S. 629 (HALIFAX) COUNTY LAW OFFICERS FUND. H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.

- H. 584 (CATAWBA) LONG VIEW TAX DISCOUNTS. H-REPTD FAV.
- H. 625 (GREENE) TB DETECTION FUNDS SOLICITATION. S-REPTD FAV.
- H. 637 (GUILFORD) GUILFORD COLLEGE ABC REGULATION. S-PASSED 3RD READING.
- #H. 680 (BRUNSWICK) SOUTHPORT ABC PROFITS. RATIFIED CH. 456.
- #H. 761 (BUNCOMBE) ABC ELECTION-BLACK MOUNTAIN. RATIFIED CH. 457.
- H. 802 (FORSYTH) STUDENT DUE PROCESS-HEARINGS.(5/26) H-PASSED 2ND READING.
- H. 843 (ALAMANCE) BURLINGTON REALTY SALES. H-REPTD FAV.
- H. 880 (DURHAM) DURHAM HOUSING AUTHORITY. H-REPTD FAV.
- H. 899 (WASHINGTON) COUNTY GARBAGE FACILITIES.(5/24) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- #H. 905 (MOORE) PINEHURST POLICE OFFICERS. RATIFIED CH. 459.
- H. 968 (LEE) SANFORD CHARTER,ABC,GOLF COMM'N. H-REPTD FAV AS AMENDED.
- H. 969 (JOHNSTON) AIRPORT AUTHORITY. H-REPTD FAV.
- H. 993 (UNION) MONROE RECREATION COMM'N REPEAL. H-REPTD FAV.
- H.1013 (WASHINGTON) COUNTY SCHOOL BOARD. H-PASSED 2ND & 3RD READING.
- H.1017 (CURRITUCK) REGISTER OF DEEDS' SALARY. H-REPTD FAV.
- H.1031 (WILSON) WILSON SCHOOL BD. ELECTION. H-PASSED 2ND & 3RD READING.

Next Session of House: 9:30 a.m., Friday, May 28, 1971.

Next Session of Senate: 10:00 a.m., Friday, May 28, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
P. O. BOX 7294, RALEIGH, N. C.
27611 TEL. 755-3355
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BULLETIN NO. 98

- 867 -

FRIDAY, MAY 28, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 713 Broughton Hosp. neurosurgical unit
Introducer: Larkins

APPROPRIATION
Sent to APPROPRN

"To appropriate funds to the State Department of Mental Health to provide for the operation of a neurosurgical-medical unit at Broughton Hospital." As title indicates, appropriates from General Fund \$279,033 for fiscal year beginning July 1, 1971 and \$240,540 for fiscal year beginning July 1, 1972. Effective July 1, 1971.

S 714 Dep't of Family Medicine-UNC (Iden. H 1110)
Introducer: Moore

APPROPRIATION
Sent to APPROPRN

"Creating the U.N.C. Department of Family Medicine and appropriating certain funds thereto." Identical with H 1110 digested in Bulletin No. 97, p. 858.

S 715 Uniform general election ballots
Introducers: Kirk and others

GS 163
Sent to POLICIES

"To provide for uniform general election ballots." Rewrites GS 163-140(a) and (b) setting forth seven distinct types of ballots for national, state executive, state judicial, state legislative, county, township elections, and constitutional amendments and other proposition elections. Requires use of official ballots only for purposes indicated by their titles and prohibits combining ballots. Prescribes arrangement of general election ballots with political parties appearing thereon from left to right as follows: Democratic, Republican, American, any other party, and independent candidates. Requires if candidates are to be elected on nonpartisan basis, separate ballots be used not containing party affiliations. Prescribes procedure for preparing form of ballot for constitutional amendments and other propositions submitted to voters. Rewrites GS 163-141 prescribing form of sample ballots and making it unlawful for any persons except bd.'s of elections to print or distribute sample ballots. Effective July 1, 1971.

S 716 Indigent's waiver of counsel
Introducer: Bailey

GS 7A
Sent to COURTS

"To amend General Statutes 7A-457 to remove the requirement that an indigent's waiver of counsel be in writing." As title indicates. Effective upon ratification but not applicable to waivers of rights executed prior to ratification.

S 719 Interstate Fire Fighting Compact
Introducer: Reed

GS 113
Sent to INTERGOV

"Authorizing the North Carolina Forest Service to enter into mutual fire fighting agreements with other states and the Provinces of Canada." As title



indicates (agreements must have prior approval of Bd. of C & D).

S 720 Deficiency judgment election
Introducer: Coggins

GS 25
Sent to JUDIC 1

"To require reposessor to waive deficiency." Adds new GS 1-230.1 permitting seller of goods, as defined in GS 25-2-105(1), to repossess goods upon default of buyer to perform in accordance with specific terms of written agreement to pay balance due on purchase price, but makes such repossession operate as a waiver of any right to recover any additional consideration or sum from the buyer except for damages resulting from buyer's wrongful abuse, misuse or neglect of the goods. Does not affect seller's right to levy upon other goods or property of buyer under execution proceedings pursuant to judgment obtained against buyer as result of such default. Effective August 1, 1971 and applicable to all actions commenced or filed after that date.

S 721 Bd. of Regents-UNC system
Introducer: Kirby

GS 116
Sent to HIGHER ED

"To establish a system for the coordination and governance of Higher Education." Identical with H 1115 digested in the House section of today's bulletin.

HOUSE

H 1113 Auto registration transfer
Introducer: R. Brown

GS 20
Sent to ROADS

"To remove requirement that owner transferring title to motor vehicle endorse name of transferee and date of transfer on reverse side of registration card."
Amends GS 20-72 as title indicates.

H 1115 Bd. of Regents-UNC system (Iden. S 721)
Introducers: Martin and others

GS 116
Sent to HIGHR ED

"To establish a system for the coordination and governance of Higher Education."
Rewrites GS 116-44.10 and GS 116-46 and Parts 1, 2, 3, 3A, 3B, and 3C of Art. 1, GS 116 (GS 116-1 through 116-39.2) except GS 116-30 (power to accept gifts), 116-31 (land scrip fund), 116-32 (agricultural research stations), 116-35 (coordinating comm. with Dep of Agriculture), 116-36 (duties of coordinating committee), 116-37 (findings of coordinating committee) and 116-37.1 (authorization to purchase insurance in connection with nuclear reactor). Defines: "Board" as Board of Regents of the University of North Carolina System; "Board of Trustees" as board of trustees of constituent institution; "Chancellor" as Chancellor of the Univ. of NC System; "Constituent institution" as one of 16 public senior institutions (UNC-CH, NC State, UNC-G, UNC-C, UNC-A, UNC-W, Appalachian, ECU, Elizabeth City, Fayetteville State, NC A&T, NCCU, NC School of Arts, Pembroke, WCU and Winston-Salem); "President" as president of constituent institution. Provides for consolidation of constituent institutions into University of NC System, governed by the 16 boards of trustees and Board of Regents. Redesignates Board of Trustees of Univ. of NC as Bd. of Regents, a continuing body politic and corporate, with power to exercise rights and privileges ordinarily exercised by corps. of like character. Provides for membership on Board as follows: (1) Governor to be ex officio member and chairman; (2) chairman of Committees on Higher Education in House and Senate; (3) 44 members elected by General Assembly for 8 year overlapping terms, 11 elected biennially, provided that 1971 General Assembly to elect 11 to serve terms ending 1973, 11 ending 1975, 11 ending 1977, and 11 ending 1979. Provides terms to commence July 1, odd-numbered years, except those elected to initial Board to commence

October 1, 1971. Provides for members of initial Board to be chosen: (1) from list of members of Bd. of Higher Education; (2) members of Bd. of Trustees of UNC whose terms extend beyond July 1, 1971, and those who have been elected by General Assembly for terms commencing July 1, 1971; (3) members of boards of trustees of other 10 constituent institutions. Provides nominations to be made by joint committee appointed by President of Senate and Speaker of House, chaired by chairman of Committees on Higher Education. Provides initial Board shall consist of: (1) at least 15 members to be members of Bd. of Trustees of UNC, with at least one member closely associated with each institution; (2) at least 15 members who are members of boards of trustees of other 10 constituent institutions, with at least one member from bd. of trustees of each institution; (3) at least 6 members who are on Bd. of Higher Education. Board to consist of at least 6 women and 6 members of minority race. No members, except ex officio, may be officers or employees of NC or any constituent institution. Provides that upon vacancy on Board, Sec. of Bd. to communicate such fact to General Assembly and "thereupon there shall be elected by joint ballot of both houses a suitable person to fill same." Provides that when member fails to be present for 1 year at regular meetings of Board, his place shall be deemed vacant, with exception for military or governmental service. Provides for election for 2 year terms of vice-chairman, secretary and treasurer. Meetings to be set by Bd., not less than 4 times during calendar year, with majority to constitute quorum. Permits Bd. to appoint from membership executive committee consisting of 12 members plus Gov. with 4 year overlapping terms, with Gov. serving as chairman.

Gives Bd. following powers and duties: (1) principal function to plan and coordinate system of higher education, including preparation of long-range plan to be supplied to General Assembly, Advisory Budget Comm'n, and boards of trustees of constituent institutions; (2) to prohibit institutions from instituting new degree programs unless and until approved by Bd., and prohibits Bd. from such authorization until State-wide study has been made of program; (3) to recommend to bd. of trustees of institution discontinuance, with at least 1 year's written notice, of any degree program inconsistent with long-range plan, provided, institution may, within 60 days of notice, request hearing by Bd.; (4) to approve establishment of new branch or of permanent or semi-permanent educational or research center of any of institutions; (5) to approve establishment of new publicly supported institution above community college level; (6) to collect information, with uniform reporting practices; (7) to set tuition and required fees at constituent institutions, subject to approval of Advisory Budget Comm'n; (8) upon consultation with institutions, to submit budget recommendations for constituent institutions to Advisory Budget Comm'n, provided that upon formulation of tentative budgets, all institutions to be afforded opportunity to be heard before recommendation submitted to Advisory Budget Comm'n (also adds provision to assist institution experiencing heavy over-enrollment by transferring funds from one or more institutions which have experienced enrollment below expected level, and from specifically appropriated funds); (9) to give advice and recommendations concerning higher education to Gov., General Assembly, Advisory Budget Comm'n and boards of trustees; (10) to maintain liason with Bd. of Education, Dep't of Community Colleges and private colleges and universities in NC in order to have well-coordinated system of higher education; (11) to confirm election of presidents of institutions who are elected by boards of trustees; and (12) to possess such powers as are necessary and proper for exercise of specific powers set out in article.

Property held by UNC, not identified with any campus shall be transferred to Bd. of Regents. Property held by UNC for all 6 campuses and transferred to Bd. of Regents to be held for benefit of those 6 subject to terms of instrument under which property acquired. All property held by Bd. of Education to be vested in Bd. of Regents. Reserves powers not granted by statute to respective institutions. Council of Presidents to act in advisory capacity, with Chancellor to serve as chairman. Board to elect Chancellor to be principal executive officer of Bd. If any institution is aggrieved by action of Chancellor, it shall be given opportunity to be heard by Bd. or Executive Committee. Provides for Chancellor's staff, including advisory committee. Bd. shall be provided "suitable quarters in Raleigh or in such other place as may be designated, provided that the place selected shall not be on a campus of a constituent institution or closely identified with any such institution."

Provides no private educational institution created in NC after April 15, 1923 shall have power or authority to confer degrees upon any person except as provided in act. Board may issue license to private institutions established after such date, to confer degrees only if such institution has income sufficient to maintain adequate faculty and equipment to provide adequate means of instruction "in the arts and sciences, or any other recognized field of learning or knowledge." Requires such private institutions to file information report with Bd. and permits revocation of license, subject to review pursuant to GS 143-306 through -316. Gives Bd. of Education sole authority to supervise community colleges, technical institutes and industrial education centers.

Provides for continuation of boards of trustees at 10 institutions not presently members of Consolidated University and creates, effective Oct. 1, 1971, boards of trustees at 6 member institutions. Newly created boards to succeed to all property which UNC held for benefit of individual institutions, with disputes to be decided by Bd. Gov. to appoint, subject to confirmation of General Assembly, 12 initial members for each former member institution of Consolidated University with three members' terms to expire June 30, 1973, three in 1975, three in 1977, and three in 1979. Provides that president of respective student bodies to be ex officio members, with power to vote on all matters. At least 8 of members to be chosen from Board of Trustees of UNC. Membership on boards of trustees, after initial appointments, to consist of 13 persons, 12 appointed for staggered 8 year terms, student body president to constitute 13th member. Gov. to make appointments subject to approval of Senate and House. No person to serve as both member of board of trustees and Board of Regents. Requires boards to hold at least two regular meetings a year, and at other times upon call of chairman. Provides for election of chairman, vice-chairman, and designation of committees by boards. Requires boards to hold property in trust for NC and to be responsible for management of affairs of institution, subject to applicable laws of NC and authority of Bd. of Regents. Requires boards to elect president of institution, subject to approval of Bd. of Regents, and empowers boards to confer degrees. Permits institutions now operating campus laboratory or demonstration school to continue to do so. Requires each board to prepare biennial budget request. Requires board to approve, or provide for approval of curricular requirements and new degree programs. Authorizes continuation of electric power plants, water and sewer systems and distribution systems, permitting sale of excess current to people of community at rate approved by Utilities Comm'n, subject to GS 116-41.2(3) with respect to UNC-CH, with profits to be paid to endowment fund of the institution. Duties for presidents as follows: (1) to attend all meetings of board of trustees, to be responsible for keeping record of meetings, and act as custodian of all records, etc.; (2) to notify Gov., with approval of chairman of trustees, whenever term of office of member of board of trustees is about to expire, or when vacancy occurs; (3) to be administrative and executive head of institution, and each year prepare report of operations of institution, filing copy with board of trustees and with Bd. of Regents; (4) recommend courses of study, subject to approval of board of trustees, and of Regents, to determine major functions and activities of institution.

Makes conforming changes in GS 116-35 (coordinating committee of NC State and Dep't of Agriculture) and redesignates GS 116-35 through -37.1 as Part 3A, with GS 116-30 through -32 redesignated GS 116-38 through -40 and transferred to Part 3A. Repeals Art. 16, GS 116 (State Board of Higher Education) and changes words "Board of Higher Education" to "Board of Regents of the University of North Carolina System" wherever they appear. Makes other technical conforming changes. Provides, notwithstanding provisions of this act, Board of Trustees of NC School of the Arts to consist of 14 members. Provides all policies, rules, and regulations adopted prior to Oct. 1, 1971 by boards of trustees to be effective except as modified by this act or by subsequent action of boards of trustees. Effective October 1, 1971 except that appointments, elections, and confirmations pursuant to the provisions of act may be made upon ratification of act and prior to October 1, 1971.

H 1116 Dep't of Justice funds
Introducer: Green

APPROPRIATION, GS 114
Sent to APPROPRN

"To appropriate certain funds to the State Department of Justice for consumer protection litigation expenses, to provide certain consultant services for the Department, and to purchase office equipment." Appropriates to Dep't of Justice, Office of Attorney General out of General Fund, \$100,000 for fiscal 1971-3 to defray part of expenses of litigation of Consumer Protection Division; \$10,000 to provide consultant services for in-house studies of Dep't; and \$15,000 for fiscal 1971-2 to purchase microfilm machine and reader. Effective July 1, 1971.

H 1117 Second mortgage charges
Introducer: Short

GS 24, 45
Sent to BANKS

"To regulate charges made in connection with loans secured by secondary or junior mortgages." Repeals GS 45-43.1 through GS 45-43.5 and adds new Art. 2 to GS Ch. 24, governing loans secured by secondary or junior mortgages. Limits application of act to loans (1) secured by security instrument on real property, except first security instrument on real property improved by construction thereon of four or less dwelling units; (2) of which principal amount does not exceed \$7,500, and (3) repayable in no less than six nor more than 72 successive monthly payments, which payments shall be substantially equal in amount. Prohibits person or corp. making loans under article from charging, taking or receiving directly or indirectly actuarial interest in excess of 12% per annum and a rate of charge in excess of 10% of principal amount of loan. Prescribes how rate of charge shall be computed. Permits hazard insurance, decreasing life insurance, and accident and health insurance, paid by lender or borrower. Prohibits application fee or other charge if loan not consummated but borrower may be required to reimburse lender for actual expenses under certain conditions. Permits borrower to anticipate payment of debt in whole or in part without payment of interest penalty or other prepayment fees. Requires rebate in accordance with Standard Rule of 78 based upon a 36 month term if same borrower within 36 months after original loan or previous renewal, renews loan. Permits delinquent or late charge of 5% of monthly payment or \$5, whichever is less, on any installment more than 15 days late. Requires person or corp. making loan to furnish borrower (in addition to disclosures required by federal "Truth in Lending" law) complete and itemized closing statement showing all disbursements of loan proceeds, and totaling principal amount of loan. Requires lender keep on file and be available at reasonable times to borrower or his successor in interest until security instrument is satisfied in full. Requires closing statement refer to this article. Violation of act a misdemeanor punishable by fine and/or imprisonment at discretion of court. Effective July 1, 1971.

H 1118 Savings & loan loss reserves
Introducer: Gentry

GS 54
Sent to INSUR

"To amend G.S. 54-41.1 relating to required reserves for losses; profits not otherwise apportioned." Amends indicated section to lower from 10% to 5% the minimum proportion of net earnings required to be transferred by directors of building and loan and savings and loan associations to reserve fund to be available to meet losses. Also reduces from 10% to 5% the minimum proportion of net earnings that must be transferred before apportionment of profits or declaration of dividends when the reserve for losses becomes less than 5% of the outstanding shares of the association.

H 1121 Registered instruments-indexes
Introducers: C. Smith and Andrews

GS 161
Sent to JUDIC 1

"To amend G.S. 161-22 concerning the index and cross index of registered instruments." Deletes requirement from GS 161-22 that indexes "be kept in well bound books."

H 1122 Recordation of service discharge
Introducers: Speed and others

GS 161
Sent to MILITARY

"To clarify the long-standing exemption of Armed Forces discharges and certain other documents from fees and other charges incident to their recordation or copying." Adds new GS 161-10.1 specifying that no schedule of fees now or later appearing in GS Ch. 161 (registers of deeds) shall apply to registrations of official discharges from military service as provided in GS Ch. 47, Art. 5, nor shall any such schedule affect the exemption from charge of copies of veterans' records governed by GS 165-11 (copies of records to be furnished to NC Dep't of Veterans Affairs).

H 1123 Moving live poultry and livestock
Introducer: Speed

GS 20
Sent to AGRICULT

"Amending G.S. 20-116(g) so as to make said section inapplicable to the movement of live poultry and livestock." As title indicates, makes GS 20-116(g) (prohibiting vehicle on highway unless constructed or loaded so as to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom) inapplicable to the movement of live poultry or livestock.

H 1124 Bartholomew contract claim
Introducer: Speed

APPROPRIATION
Sent to APPROPRN

"To compensate Fred L. Bartholomew for loss on contract of superintendent of Warrenton City Administrative Unit schools by reason of said Warrenton City Administrative Unit being abolished by order of the federal district court." Appropriates \$2,717 from General Fund as title indicates.

H 1125 Manning contract claim
Introducer: Speed

APPROPRIATION
Sent to APPROPRN

"To compensate Russell N. Manning for loss on contract of superintendent of Littleton-Lake Gaston School District schools by reason of said Littleton-Lake Gaston School District being abolished by order of the federal district court." Appropriates \$7,399.05 from General Fund as title indicates.

H 1127 Public Solicitation Act
Introducer: Paschall

GS 108
Sent to SOC SERV

"To require the licensing of individuals and organizations engaged in public solicitation." Completely rewrites Part 1 of Art. 3 of GS Ch. 108 (licensing of public solicitation), changing the current law in the following respects:

(1) Makes Part 1 applicable to all soliciting organizations, not just charitable organizations, and specifically limits coverage to solicitations for non-profit purposes. (2) Removes the specific exemption from licensing requirements now given to colleges holding membership in NC College Conference and to nonpublic high schools accredited by State Dep't of Public Instruction. Adds new exemption for political parties. Redefines local soliciting organizations to limit exemption to those that confine solicitation to area within 25 mile radius of county or town where office is located or majority of membership lives, and that have only members of organization making solicitation. Redefines church to limit exemption to those that have been established in state for three years, that have affiliated branches in at least 25 counties, and that have total membership in state of at least 10,000, but broadens purposes for which exemption applies to include all church purposes and not just construction of church building or clergy's residence, or maintenance of clergy. (3) Specifically grants Dep't of Social Services licensing authority. (4) Removes list of specific items that must be contained in license application and replaces it with requirement that information to be given is that required by rules and regulations of Dep't. Removes requirement that concerned State agencies be consulted on application, and eliminates particular provision pertaining to initial license for new organization with no prior financial history. (5) Adds requirement that license be issued within 60 days or notice given of reasons why not, and adds as new grounds for revocation or denial of license the use of solicited funds for unannounced purposes and the violation of any mandatory provisions of Article or of rules and regulations of Dep't. (6) Adds requirement that notice of denial or revocation of license be given by registered mail, that it contain details of reasons therefor, and that it contain specific information on right to appeal. (7) Changes from 15 to 20 days the period in which request for hearing must be made, adds new requirement that five days' notice of hearing be given, and provides that revocation shall not take effect until 20 days after final decision of Comm'r has been mailed. (8) Adds new procedure for appeal from adverse decision of Comm'r to Wake Superior Court or superior court for county in which organization is located, with the hearing there to be de novo. (9) Specifies Bd. of Social Services' authority to adopt regulations, and requires their publication. (10) Grants Comm'r new authority to enter into reciprocal agreements, to determine whether organization should be licensed even if it has not made application, to publicly publish information on solicitation organizations, and to license organizations' higher administrative levels. (11) Provides for registration numbers that must be used by organizations. (12) Directs Dep't rather than organizations to set form for individual solicitor's information card, and specifically provides that it contain individual solicitor's name, name and license number of organization, and expiration date of license. Requires all individual solicitors to have and display cards. (13) Omits provisions on solicitation for individual livelihood. (14) Rewrites definitions of what constitutes violation of act and provides for same criminal penalty of \$500 and/or six months for all violators rather than having separate penalties for individual violators and corporate violators. (15) Provides new civil remedy for misrepresentation, unlicensed solicitation, failure to display identification card, and soliciting for unlicensed organization; the action to be prosecuted in district court and to have penalty with minimum of \$50 and maximum of \$500 plus costs and attorney's fees. Requires Comm'r to publicize act throughout State for minimum of eight weeks prior to the effective date, which is Jan. 1, 1972.

H 1128 Pub. bldgs., systems mgmt. laws (Iden. S 628)
Introducer: Barbee (by request)

GS 129, 143
Sent to ST GOVT

"To consolidate the statutes regarding the Department of Administration."
Identical with S 628, digested in Bulletin No. 89, p. 756.

H 1129 Uniform general election ballots (Iden. S 715)
Introducers: Hege and others

GS 163
Sent to ELECTION

"To provide for uniform general election ballots." Identical with S 715 digested in Senate section of today's Bulletin.

LOCAL BILLS INTRODUCED

SENATE

S 717 Sales tax use
Introducer: Deane

RICHMOND
Sent to FINANCE

"To provide for the allocation of local government sales and use tax proceeds to be distributed to Richmond County and municipalities therein." Requires proceeds distributed to Richmond County from above cited tax be used only for public school capital outlay expenses and for debt service in connection with retirement of school bonds. Permits proceeds distributed to incorporated municipalities in Richmond County to be used for any public purpose. Effective May 1, 1971.

S 718 Hunting fowl-Currituck Sound
Introducer: Folger

CURRITUCK, GS 143
Sent to WILDLIFE

"To amend Chapter 1436 of the Session Laws of 1957 relating to the protection of migratory wild fowl in Currituck Sound and its tributaries in Currituck County." Adds two requirements to Ch. 1436, 1957 SL: (1) Requires all boats used on Currituck Sound during periods prescribed by Currituck County Game Comm'n with approval of NC Wildlife Resources Comm'n be of type approved by Game Comm'n and Resources Comm'n. (2) Prohibits any person from hunting over, on, or adjacent to waters set forth in statute within 500 yards of any blind licensed to some other person whether the blind is in use or not.

S 722 Bessemer City-five gall. limit
 Introducer: Rauch

GASTON
Sent to ABC

"To amend Chapter 617 of the 1969 Session Laws relating to the transporting of more than one gallon of liquor in Bessemer City." Adds Bessemer City to list of counties and municipalities covered by Ch. 617, 1969 SL establishing procedure for permits to transport liquor in excess of one gallon.

HOUSE

H 1114 Board of Education realty sale
Introducer: Venters

ONSLOW
Sent to EDUCATN

"Authorizing the Onslow County Board of Education to convey certain real property." Authorizes Onslow Co. Bd. of Education to convey at private sale certain described realty to Kellumtown Community Action Association, a voluntary social organization, to be used solely for civic and recreational purposes.

H 1119 Hamlet ABC funds
Introducer: Hunter

RICHMOND
Sent to LOC GOVT

"To amend Chapter 982 Session Laws of 1963 to authorize election on the distribution of ABC funds in the town of Hamlet." Reenacts and amends Sec. 6, Ch. 982, 1963 SL by adding provision authorizing governing body of Hamlet to call special election upon receipt of petition signed by 15% of town's registered voters to determine whether net profits of ABC Bd. shall be allocated for any legal purpose other than set forth in said section, petition to set forth specific changes to be voted upon. Prescribes procedure for election and prohibits additional election within two years of last election on subject. Effective July 1, 1971.

H 1120 Rockingham ABC funds
Introducer: Hunter

RICHMOND
Sent to LOC GOVT

"To repeal Chapter 115 Session Laws of 1969 relating to distribution of ABC funds in City of Rockingham, and to provide for the allocation of said funds." Identical with H 1119 digested above, except applicable to City of Rockingham.

H 1126 Durham firemen retirement
Introducers: Miller, Whichard, and Royall

DURHAM
Sent to LOC GOVT

"To amend Chapter 576 of the Session Laws of 1951 providing supplemental benefits for retired firemen of the Fire Department of the City of Durham." Adds to Sec. 5, Ch. 576, 1951 SL provision authorizing Bd. of Trustees to pay an additional amount not to exceed \$25 per month to every retired fireman both present and future, and to adjust such payments and other expenditures to remain within funds available from interest on investments and amounts received from Firemen's Relief Fund.

H 1130 Gastonia-five gall. limit
Introducer: Stewart

GASTON
Sent to ABC

"To amend Chapter 617 Session Laws of 1969 so as to authorize the sale, possession, purchase, and transportation of alcoholic beverages in excess of one gallon in the City of Gastonia." Adds Gastonia to the municipalities governed by Ch. 617, 1969 SL permitting possession of up to five gallons of alcohol in accordance with regulations prescribed therein.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 53 Auto bumpers (digested in Bulletin No. 10, p. 57; Committee Substitute digested in Bulletin No. 77, p. 621)
Amendment adopted in House 5/28/71 makes act applicable only to cars sold in State (deletes application to autos licensed only in State) and requires manufacturer to file written certificates prescribed in act with Dep't of Motor Vehicles (originally, Dep't of Public Safety).

S 115 Drivers-conviction outside State (digested in Bulletin No. 20, p. 129; amendments digested in Bulletin No. 83, p. 688)
Amendment adopted in House 5/28/71 adds to list of out of state offenses to which act is applicable: unlawfully passing stopped school bus, illegal transportation of intoxicating liquors and offenses included in GS 20-17 (those offenses for which license revocation is mandatory). Provides conviction to be as defined in GS 20-24(c) (final conviction and forfeiture of bail). Provides proposed GS 20-23 to apply only for offenses set forth in GS 20-26(a).

- S 325 Repaying savings & loan ass'n (digested in Bulletin No. 52, p. 372)
Amendment adopted in House 5/28/71 excludes prepayment fees.
- S 484 Archives and History-law rewrite (digested in Bulletin No. 74, p. 589;
amendment digested in Bulletin No. 83, p. 901)
Amendment adopted in House 5/28/71 deletes section requiring portrait of
Governor be commissioned, and adds provision limiting power of condemnation to
property or interest whose total acquisition cost to State does not exceed \$500,000.
- S 557 Pharmacist general license (digested in Bulletin No. 82, p. 674)
Amendment adopted in House 5/28/71 requires individual applying for license
be graduate of duly accredited school or college of pharmacy (originally, "reputable"
school).
- S 558 Pharmacist intern license (digested in Bulletin No. 82, p. 674)
Amendment adopted in House 5/28/71 requires individual applying for license
be graduate of duly accredited school or college of pharmacy (originally, "reputable"
school).
- S 609 International Cooperation Comm'n (digested in Bulletin No. 87, p. 733)
Amendment adopted in Senate 5/28/71 requires Comm'n be established within
Dep't of Conservation and Development (originally, Dep't of Administration).

HOUSE BILLS

- H 649 Environmental Policy Act (Identical with S 394, digested in Bulletin No.
62, p. 463)
Committee Substitute adopted in House 5/28/71 makes following changes:
(1) Adds new definition of "major development project" as including but not limited
to shopping centers, subdivisions and other housing developments, and industrial
projects, but not including projects of less than two contiguous acres (under the
bill counties, cities and towns have enabling power to require environmental impact
statements concerning such projects). (2) Rewrites declaration of policy by
eliminating original Section 3(1) (concerning a right to a healthful environment,
etc.) and by providing that the General Assembly, in its role as trustee for future
generations, desires to assure an environment of high quality, and declares State
policy of conserving and protecting natural resources, preserving historical and
cultural inheritance, attaining widest range of beneficial uses of the environment
without degradation, etc. (3) Makes technical changes.
- H 855 Foresters registration (Identical with S 543, digested in Bulletin No. 80,
p. 649; amendments digested in Bulletin No. 97, p. 862)
Amendment adopted in House 5/28/71 requires at least four members of
Foresters' Registration Bd. to have bachelor's degree or higher in forestry
(originally required all to have such degree).
- H 880 (DURHAM) Durham Housing Authority (digested in Bulletin No. 81, p. 666)
Amendment adopted in House 5/28/71 clarifies intended statutory correction.
- H 893 Vocational education funds (digested in Bulletin No. 83, p. 686)
Amendment adopted in House 5/28/71 adds provision that cost of materials for
any one project authorized by act shall not exceed \$20,000.
- H 903 Industrial Commission procedure (digested in Bulletin No. 84, p. 697)
Amendment adopted in House 5/28/71 permits other procedure before Comm'n
where provided by statute.

- H 935 Primary candidate qualifications (digested in Bulletin No. 86, p. 723)
Technical amendment adopted in House 5/28/71.
- H 959 Hospital Facilities Finance Act (digested in Bulletin No. 87, p. 737)
Amendments adopted in House 5/28/71 make following changes: (1) Require contracts for construction of any hospital facilities on behalf of a public agency be awarded by Comm'n in accordance with Art. 8, GS Ch. 143; and (2) clarify language permitting Comm'n to award contracts for construction of hospital facilities on behalf of any nonprofit agency upon negotiated basis. Makes technical corrections.
- H 968 (LEE) Sanford Charter, ABC, Golf Comm'n (digested in Bulletin No. 89, p. 757)
Amendment adopted in House 5/28/71 amends Sec. 9, Ch. 105, 1961 SL to permit up to 15% of profits from ABC stores to be spent for law enforcement purposes (now, 5 to 10% permitted).
- H 1003 Capital, surplus-insur. co. (digested in Bulletin No. 92, p. 786)
Amendment adopted in House 5/28/71 requires insurers to increase capital and/or surplus before July 1, 1973 (originally July 1, 1975).

SENATE AND HOUSE

CALENDAR ACTION

MAY 28, 1971

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 4 18 YEAR OLD MAJORITY.(5/25) H-REC FROM SENATE; H-REF TO COM ON JUDIC 2.
 S. 53 AUTO BUMPERS.(4/29, 5/28) H-COM AMEND ADOPTED; H-PASSED 2ND READING.
 S. 115 DRIVERS-CONVICTION OUTSIDE STATE.(5/07, 5/28) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
 S. 289 REGULATING KERR LAKE USE. H-PASSED 2ND & 3RD READING.
 S. 325 REPAYING SAVINGS & LOAN ASS'N.(5/28) H-PASSED 2ND READING; H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING.
 #S. 385 STATE-OWNED VEHICLE-TAGS.(5/04, 5/04) RATIFIED CH. 460.
 S. 404 BANKS SUSPENDING BUSINESS-EMERGENCY.(5/13) H-PASSED 2ND & 3RD READING.
 S. 419 (J.RES.) CHATTOOGA AS WILD RIVER. H-PASSED 2ND & 3RD READING.
 #S. 452 PROTECT THE PANTHER. RATIFIED CH. 461.
 S. 469 SAVINGS & LOANS-MATURITIES. H-PASSED 2ND & 3RD READING.
 S. 475 STATE PURCHASES AND CONTRACTS. H-POSTPONED TO JUNE 2.
 S. 484 ARCHIVES AND HISTORY-LAW REWRITE.(5/07, 5/28) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
 #S. 511 (J.RES.) NC TRANSPORTATION STUDY. RATIFIED RES. 74.
 S. 521 LOCAL OPTION ED. UNITS. H-PASSED 2ND & 3RD READING.
 S. 526 NC PROJECTS-LOCAL INSPECTION. H-REC FROM SENATE; H-REF TO COM ON ST GOVT.
 S. 536 1969 ZOO APPROPRIATION. H-REPTD FAV.
 S. 557 PHARMACIST GENERAL LICENSE.(5/28) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
 S. 558 PHARMACIST INTERN LICENSE.(5/28) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
 S. 559 PHARMACISTS TEMPORARY RECIPROCITY. H-PASSED 2ND & 3RD READING.
 S. 568 EXEMPT TRAINING SCHOOLS FROM COSTS. H-PASSED 2ND & 3RD READING.
 S. 570 NC SEED LAW REVISIONS. S-REPTD FAV; S-PLACED ON CAL FOR JUNE 2.
 S. 577 PURCHASED GAS ADJUSTMENT CLAUSES. S-REPTD FAV AS AMENDED; S-PLACED ON CAL FOR JUNE 1.
 S. 606 AREA MENTAL HEALTH PROGRAMS. H-PASSED 2ND & 3RD READING.
 S. 607 COMMIT MENTALLY ILL-INEBRIATE. H-PASSED 2ND & 3RD READING.
 S. 609 INTERNATIONAL COOPERATION COMM'N.(5/28) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.

- S. 619 INSPECTION OF BAKERIES. H-PASSED 2ND & 3RD READING.
- S. 620 NO COLORING OF WHITE BREAD. H-PASSED 2ND & 3RD READING.
- S. 622 STUDY COMM'N, UNC UTILITIES. S-REPTD FAV AS AMENDED; S-PLACED ON CAL FOR JUNE 1.
- S. 638 AUTO INSUR. CLASS. 260 PLAN. S-PLACED ON CAL FOR MAY 31.
- S. 653 VEHICLE RECIPROCITY AGREEMENTS. H-REC FROM SENATE; H-REF TO COM ON HY SAFTY.
- #S. 685 CATFISH CREEK EASEMENT. RATIFIED CH. 462.
- S. 695 LANDLORD-TENANT JURISDICTION. S-PASSED 2ND & 3RD READING.
- S. 696 CONFORMING STATUTES TO GS 7A. S-PASSED 2ND & 3RD READING.

- H. 87 JUDICIAL STANDARDS COMMISSION.(5/25) S-REC FROM HOUSE; S-REF TO COM ON COURTS.
- H. 191 FIRE INS. STAT. OF LIMITATIONS-2.(5/14) S-PASSED 3RD READING.
- H. 230 HOUSE APPORTIONMENT.(5/18) S-REPTD FAV.
- H. 388 AUTO PLATES-SEPARATED SPOUSE.(5/06, 5/27) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- H. 392 ARSON LAW CHANGES.(5/25, 5/26) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.
- H. 470 AUTO INSPECTION REQUIREMENTS.(3/31, 3/31, 5/19) H-PASSED 2ND & 3RD READING.
- H. 484 STREET CLOSING-COUNTIES.(5/26) S-REC FROM HOUSE; S-REF TO COM ON ROADS.
- H. 581 CLOSING A CLASS WITH A BOND.(5/26) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.
- H. 627 DISCOVERY OF DEBTORS ASSETS.(5/26) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
- H. 649 ENVIRONMENTAL POLICY ACT.(5/28) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 650 MINING ACT OF 1971.(5/27) H-PASSED 3RD READING.
- H. 694 DRIVER'S LICENSE RE-EXAM.(5/27) H-PASSED 2ND & 3RD READING.
- H. 699 FILLING VACANCIES-COUNTY COMM'RS.(5/26) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 705 COASTAL PROTECTION, BEACH EROSION.(5/27) H-PASSED 2ND READING.
- H. 750 ANIMAL QUARANTINE PROCEDURES. S-REC FROM HOUSE; S-REF TO COM ON AGRICULT.
- H. 751 FEEDING GARBAGE TO SWINE. S-REC FROM HOUSE; S-REF TO COM ON AGRICULT.
- H. 755 N.C. EMPLOYEE IN-SERVICE TRAINING.(5/27) S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
- H. 780 AID TO PRIVATE COLLEGES.(5/12, 5/18) S-REPTD FAV.
- H. 795 STATE PURCHASES AND CONTRACTS. H-POSTPONED TO JUNE 2.
- H. 855 FORESTERS REGISTRATION.(5/27, 5/28) H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING.
- H. 862 PUBLIC SCHOOL EMPLOYEE SICK LEAVE. H-PASSED 2ND & 3RD READING.
- H. 870 HOME HEALTH AGENCIES. H-PASSED 2ND & 3RD READING.
- H. 893 VOCATIONAL EDUCATION FUNDS.(5/28) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 903 INDUSTRIAL COMMISSION PROCEDURE.(5/28) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.

- H. 913 NURSE PRACTICE ACT FEES. H-PASSED 2ND & 3RD READING.
- H. 921 ENLARGING CITY SCHOOL ADM. UNITS. H-PASSED 2ND & 3RD READING.
- H. 926 BARBER LAW-PENALTY CHANGE. H-POSTPONED TO JUNE 2.
- H. 933 GRANTOR OMITTED-DEEDS. H-POSTPONED TO MAY 31.
- H. 935 PRIMARY CANDIDATE QUALIFICATIONS.(5/28) H-COM AMEND ADOPTED.
- #H. 954 AREA MENTAL HEALTH PROGRAMS. H-POSTPONED INDEF.
- H. 959 HOSPITAL FACILITIES FINANCE ACT.(5/28, 5/28) H-COM AMENDS ADOPTED; H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING.
- H. 960 BARBER'S FEES. H-POSTPONED TO MAY 31.
- H. 967 PLEDGE TO PARTY NOMINEES. H-PASSED 2ND READING.
- #H. 975 COMMIT MENTALLY ILL-INEBRIATE. H-POSTPONED INDEF.
- H. 976 CORRECTING ERROR,SL 1971,CH. 362. H-PASSED 2ND & 3RD READING.
- H. 978 PLUMBING-HEATING CONTRACTORS. H-POSTPONED TO JUNE 1.
- H.1003 CAPITAL,SURPLUS-INSUR. CO..(5/28) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 608 (ROCKINGHAM) BOARD OF HEALTH PAY. H-PASSED 2ND & 3RD READING.
- S. 610 (WAKE) TAX SUPERVISOR AND TAX COLLECTOR. H-PASSED 2ND & 3RD READING.
- H. 584 (CATAWBA) LONG VIEW TAX DISCOUNTS. H-PASSED 2ND & 3RD READING.
- H. 625 (GREENE) TB DETECTION FUNDS SOLICITATION. S-PASSED 2ND & 3RD READING.
- #H. 637 (GUILFORD) GUILFORD COLLEGE ABC REGULATION. RATIFIED CH. 463.
- H. 663 (ALAMANCE, ORANGE) COUNTY SCHOOL MERGER. H-REPTD FAV AS AMENDED.
- H. 802 (FORSYTH) STUDENT DUE PROCESS-HEARINGS.(5/26) H-POSTPONED TO JUNE 2.
- H. 843 (ALAMANCE) BURLINGTON REALTY SALES. H-POSTPONED TO JUNE 4.
- H. 880 (DURHAM) DURHAM HOUSING AUTHORITY.(5/28) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 895 (NORTHAMPTON) CONTROL SWINE RUNNING AT LARGE. S-REPTD FAV.
- H. 945 (CUMBERLAND) CITY-COUNTY SCHOOL BOARD. H-POSTPONED TO JUNE 4.
- H. 966 (ANSON) LILESVILLE CHARTER. H-REPTD FAV AS AMENDED.
- H. 968 (LEE) SANFORD CHARTER,ABC,GOLF COMM'N.(5/28) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 969 (JOHNSTON) AIRPORT AUTHORITY. H-PASSED 2ND READING.
- H. 972 (ORANGE) JOINT TRANSPORTATION COMMISSION. H-REPTD FAV AS AMENDED.
- H. 987 (DURHAM) DURHAM CITY-COUNTY CHARTER COMM'N. H-REPTD FAV AS AMENDED.
- H. 992 (MONTGOMERY) CANDOR COMM'RS AND MAYOR TERM. H-REPTD FAV AS AMENDED.
- H. 993 (UNION) MONROE RECREATION COMM'N REPEAL. H-PASSED 2ND & 3RD READING.
- H.1005 (PAMLICO) INCORPORATING MESIC. H-REPTD FAV AS AMENDED.
- H.1013 (WASHINGTON) COUNTY SCHOOL BOARD. S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
- H.1017 (CURRITUCK) REGISTER OF DEEDS' SALARY. H-PASSED 2ND & 3RD READING.
- H.1031 (WILSON) WILSON SCHOOL BD. ELECTION. S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.

Next Sessions of Senate and House: 9:30 a.m., Saturday, May 29, 1971;
8:00 p.m., Monday, May 31, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 99

-883-

MONDAY, MAY 31, 1971

Note: The Senate and House convened at 9:30 a.m. on Saturday, May 29, 1971, for consideration of local bills only. No bills were introduced and no calendar action was taken in either Chamber.

PUBLIC BILLS INTRODUCED

SENATE

S 723 Enforce mobile home standards
Introducer: Staton

GS 143
Sent to PUB HLTH

"To amend Article 9A of Chapter 143 of the General Statutes of North Carolina to require compliance with standards adopted for the construction of mobile homes."
Rewrites GS 143, Art. 9A, creating machinery for enforcement of uniform standards for mobile homes as issued by Comm'r of Insurance. Amends definition of "mobile home" to delete limitation to units at least 8 feet wide and 32 feet in length, and to make other clarifying changes. Adds definitions of "person" (including state and federal agencies), "inspection department" (city or county), "label of compliance", "certificate of compliance", and "competent". Authorizes NC State Building Code Council to license private persons to issue "labels of compliance" and city or county building inspection departments to issue "certificates of compliance" for individual mobile homes. Provides for revocation of licenses of said persons and inspection departments for cause. Provides "label of compliance" to be permanently attached to trailer upon completion of construction, and to bear on it: (1) person issuing label and serial number of label, (2) serial or identification number of mobile home, and (3) certification home meets standards prescribed in Article. Provides "certificate of compliance" issued by approved inspection department, to be valid within jurisdiction of inspection department, and to contain following information: (1) name of inspection department and date of issuance (2) identification number of home and name of manufacturer, (3) certification that structural, electrical, heating, plumbing and air conditioning systems have been inspected, and (4) certification that home complies with Article's standards and regulations. Adds authorization for NC Building Code Council to adopt rules governing license applications, and governing manufacturing inspections and inspection of licensees.

Provides no person or corporation may manufacture or offer for sale any mobile home not constructed according to standards established under authority of Article, and that home bearing label of compliance shall be deemed in compliance with said standards.

Provides after Sept. 1, 1971 no person shall offer for sale mobile home which has neither label of compliance nor certificate of compliance; provided, that certificate of title issued prior to Sept. 1, 1971, or satisfactory evidence home manufactured prior to Sept. 1, 1971, to be defense to prosecution for lack of label or certificate of compliance. Provides electricity not to be furnished to mobile home without label or certificate of compliance unless (1) electricity furnished home prior to Sept. 1, 1971, (2) title to home obtained prior to Sept. 1, 1971, or (3) satisfactory evidence presented home manufactured prior to Sept. 1, 1971. Makes violation of requirements for manufacture, sale, or furnishing of electricity a misdemeanor punishable by fine up to \$500 for each offense. Provides Comm'r of Insurance or any inspection department may take action to prevent or correct violation of Article.



S 724 Sheriffs' legal defense
Introducer: McGeachy

GS 160, 153
Sent to JUDIC 2

"To require that the counties provide legal services for sheriffs and their deputies." Amends GS 160-28.1 to require counties to provide legal services for sheriff and deputy when they are defendants in civil suit in State or federal court arising out of act or omission occurring while in course and scope of employment (now, permissible, but not required). Adds new GS 153-48.4 requiring counties to provide legal services as above and exempting sheriff from liability for acts of deputy outside course and scope of employment and acts done without direct authorization of sheriff. Requires counties to purchase insurance or secure bonds indemnifying sheriff and deputies as to liability incurred while acting in course and scope of employment. Effective July 1, 1971.

S 725 Variable annuities salesmen (Iden. H 958)
Introducers: Allen and others

GS 58
Sent to INSUR

"Amending the insurance laws so as to clarify provisions relating to the sale of variable annuities by qualified agents." Identical with H 958, digested in Bulletin No. 87, p. 736.

HOUSE

H 1131 (Joint Resolution) Memorializing Archibald R. Taylor
Introducer: Arnold

MISC RES
Passed three readings
and sent to Senate

"Honoring the late Archibald R. Taylor." As title indicates.

H 1132 (Joint Resolution) Memorializing R. O. Everett
Introducers: Royall and others

MISC RES
Passed three readings
and sent to Senate

"Honoring the life and memory of Reuben Oscar Everett." As title indicates.

H 1133 COGS tax refunds
Introducer: Phillips

GS 105
Sent to FINANCE

"To authorize refund of certain sales and use taxes to Councils of Governments." Amends GS 105-164.14(c) to include "councils of governments" among those entitled (now: counties, cities, towns and sanitary districts) to sales and use tax refunds from Comm'r of Revenue.

H 1134 Littering highways presumption
Introducer: McKnight

GS 20
Sent to HY SAFETY

"To declare the littering of highways from motor vehicles unlawful, to prescribe punishment and to create a presumption of guilt arising from the operation of a motor vehicle from which litter is discharged." Adds new GS 20-171.1 making discharge of trash, refuse, garbage, scrap metal, or other material from motor vehicle onto highway right-of-way a misdemeanor, punishable by 30 days, \$250, or both. Creates rebuttable presumption that vehicle operator, or owner if operator not known, discharged the material.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

- S 120 Property tax relief to aged (Iden. H 185, digested in Bulletin No. 22, p. 143)
Clarifying amendment adopted in Senate 5/31/71.

HOUSE BILLS

- H 663 (Alamance, Orange) County school merger (digested in Bulletin No. 63, p. 483)
Amendments adopted in House 5/31/71 requires election within 75 days after ratification (originally, 60 days) and requires registration books to be closed 21 days (originally, 1 week) before election. Designates described area as part of Alamance School Administrative Unit (originally, Orange). Provides persons residing within described area in Orange Co. are entitled to participate in elections for Alamance County Bd. of Education. Makes technical amendments.
- H 705 Coastal protection, beach erosion (Iden. S 431, digested in Bulletin No. 66, p. 504: Committee Substitute adopted in House 5/27/71 digested in Bulletin No. 97, p. 862)
Technical amendment adopted in House 5/28/71.
- H 933 Grantor omitted-deeds (digested in Bulletin No. 86, p. 723)
Technical amendment adopted in House 5/31/71.
- H 966 (Anson) Lilesville charter (digested in Bulletin No. 89, p. 757)
Technical amendments adopted in House 5/31/71.
- H 972 Joint Transportation Commission (digested in Bulletin No. 89, p. 758)
Technical amendment adopted in House 5/31/71.
- H 987 (Durham) Durham City-County Charter Comm'n (digested Bulletin No. 91, p. 778)
Amendment adopted in House 5/31/71 changes date for organizational meeting of Comm'n from July 1, 1971 to Sept. 1, 1971, and makes other technical changes.
- H 992 (Montgomery) Candor Comm'rs and Mayor (digested in Bulletin No. 91, p. 778)
Amendment adopted in House 5/31/71 changes voter residency requirement from 90 to 30 days.
- H 1005 Incorporating Mesic (digested in Bulletin No. 92, p. 788)
Amendment adopted in House 5/31/71 providing that Mayor to initially serve for two-year term; that Town Board to elect Mayor Pro Tempore; that Mayor and Commissioners to take oath required by N.C. Const. and technical amendments.

SENATE AND HOUSE

CALENDAR ACTION

MAY 31, 1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 53 AUTO BUMPERS.(4/29, 5/28, 5/31) H-FLOOR AMEND ADOPTED;
H-PASSED 3RD READING.
S. 115 DRIVERS-CONVICTION OUTSIDE STATE.(5/07, 5/28) S-REC TO
CONCUR IN H AMEND; S-PLACED ON CAL FOR JUNE 1.
S. 120 PROPERTY TAX RELIEF TO AGED.(5/31) S-COM AMEND ADOPTED;
S-PLACED ON CAL FOR JUNE 1.
S. 325 REPAYING SAVINGS & LOAN ASS'N.(5/28) S-REC TO CONCUR IN H
AMEND; S-PLACED ON CAL FOR JUNE 1.
S. 484 ARCHIVES AND HISTORY-LAW REWRITE.(5/07, 5/28) S-REC TO
CONCUR IN H AMEND; S-CONCURRED IN H AMEND.
S. 557 PHARMACIST GENERAL LICENSE.(5/28) S-REC TO CONCUR IN H AMEND;
S-CONCURRED IN H AMEND.
S. 558 PHARMACIST INTERN LICENSE.(5/28) S-REC TO CONCUR IN H AMEND;
S-CONCURRED IN H AMEND.
S. 638 AUTO INSUR. CLASS. 260 PLAN. S-PASSED 3RD READING.
S. 651 MOREHEAD COMMISSION POWERS. S-REPTD FAV.
S. 695 LANDLORD-TENANT JURISDICTION. H-REC FROM SENATE; H-REF TO
COM ON COURTS.
S. 696 CONFORMING STATUTES TO GS 7A. H-REC FROM SENATE; H-REF TO
COM ON COURTS.

H. 155 NUISANCES-PUBLIC MORALS.(4/22, 4/27, 5/25, 5/26) S-REC FROM
HOUSE; S-REF TO COM ON JUDIC 1.
H. 230 HOUSE APPORTIONMENT.(5/18) S-PASSED 2ND & 3RD READING.
H. 468 REGULATING SUBDIVISION SALES. S-REPTD FAV.
H. 649 ENVIRONMENTAL POLICY ACT.(5/28) H-POSTPONED TO JUNE 1.
H. 686 DISPOSING OF ABANDONED VEHICLES. S-REPTD FAV.
H. 694 DRIVER'S LICENSE RE-EXAM.(5/27) S-REC FROM HOUSE; S-REF TO
COM ON HY SAFTY.
H. 705 COASTAL PROTECTION, BEACH EROSION.(5/27) H-PASSED 3RD READING.
H. 780 AID TO PRIVATE COLLEGES.(5/12, 5/18) S-PLACED ON CAL FOR
JUNE 1.
H. 862 PUBLIC SCHOOL EMPLOYEE SICK LEAVE. S-REC FROM HOUSE; S-REF
TO COM ON EDUCATN.
H. 870 HOME HEALTH AGENCIES. S-REC FROM HOUSE; S-REF TO COM ON PUB
HLTH.
H. 893 VOCATIONAL EDUCATION FUNDS.(5/28) S-REC FROM HOUSE; S-REF TO
COM ON EDUCATN.

- H. 903 INDUSTRIAL COMMISSION PROCEDURE.(5/28) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.
- H. 913 NURSE PRACTICE ACT FEES. S-REC FROM HOUSE; S-REF TO COM ON PUB HLTH.
- H. 921 ENLARGING CITY SCHOOL ADM. UNITS. S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
- H. 933 GRANTOR OMITTED-DEEDS.(5/31) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 959 HOSPITAL FACILITIES FINANCE ACT.(5/28, 5/28) H-PASSED 3RD READING.
- H. 967 PLEDGE TO PARTY NOMINEES. H-PASSED 3RD READING.
- H. 976 CORRECTING ERROR,SL 1971,CH. 362. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.
- H.1003 CAPITAL,SURPLUS-INSUR. CO..(5/28) S-REC FROM HOUSE; S-REF TO COM ON INSUR.
- H.1131 (J.RES.) MEMORIALIZING ARCHIBALD R. TAYLOR. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.
- H.1132 (J.RES.) MEMORIALIZING R.O. EVERETT. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 467 (ONSLow) SWANSBORO CHARTER REVISION. S-REPTD FAV AS AMENDED.
- S. 637 (DAVIDSON) THOMASVILLE CITY ELECTIONS. S-REPTD FAV.
- S. 647 (BUNCOMBE) ASHEVILLE AG. DEVELOPMENT FUNDS. S-REPTD FAV.
- H. 541 (CARTERET, MOORE) GRAVEYARDS-PARKING & LITTERING.(5/21) S-REPTD FAV AS AMENDED.
- H. 584 (CATAWBA) LONG VIEW TAX DISCOUNTS. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 613 (MECKLENBURG) HUNTERSVILLE TAX PAYMENT DISCOUNT.(5/21) S-REPTD FAV.
- H. 663 (ALAMANCE, ORANGE) COUNTY SCHOOL MERGER.(5/31, 5/31) H-COM AMEND ADOPTED; H-FLOOR AMEND ADOPTED; H-PASSED 2ND& 3RD READING.
- H. 854 (MADISON) ABOLISH INDUST. DEV. COMM'N. S-REPTD FAV.
- H. 857 (FORSYTH) SEDIMENT CONTROL.(5/14, 5/18) S-REPTD FAV.
- H. 861 (DARE) AIRPORT AUTHORITY. S-REPTD FAV.
- H. 877 (BLADEN) BAIL BONDSMEN.(5/21) S-REPTD FAV.
- H. 879 (ROCKINGHAM) MADISON CHALLENGE DAY.(5/21) S-REPTD FAV.
- H. 894 (CUMBERLAND) IDENTIFICATION BUREAU ABOLISHED. S-REPTD FAV.
- H. 895 (NORTHAMPTON) CONTROL SWINE RUNNING AT LARGE. S-PASSED 2ND & 3RD READING.
- H. 901 (MARTIN) ROBERSONVILLE TOWN LIMITS. S-REPTD FAV.
- H. 907 (BUNCOMBE) ELIADA HOMES CHILDREN. S-REPTD FAV.
- H. 915 (WAKE) HOLLY SPRINGS CHARTER CHANGE. S-REPTD FAV.
- H. 917 (DUPLIN) EXTENDING AMBULANCE CRIMES LAW. S-REPTD FAV.
- H. 919 (DURHAM) SPECIAL ASSESSMENTS LAW-DURHAM. S-REPTD FAV AS AMENDED.
- H. 923 (CHOWAN) EDENTON CHARTER REFERENDUM.(5/21) S-REPTD FAV.
- H. 925 (PERQUIMANS) HERTFORD ELECTION LAW. S-REPTD FAV.

- H. 930 (MECKLENBURG) CORNELIUS TAX PAYMENT DISCOUNT.(5/21) S-REPTD FAV.
- #H. 934 (PENDER) MORE DEER HUNTING AUTHORIZED. H-FAILED 2ND READING.
- H. 937 (PITT) LANDFILL BY EMINENT DOMAIN. S-REPTD FAV.
- H. 966 (ANSON) LILESVILLE CHARTER.(5/31) H-COM AMEND ADOPTED;
H-PASSED 2ND READING; H-PASSED 3RD READING.
- H. 968 (LEE) SANFORD CHARTER,ABC,GOLF COMM'N.(5/28) S-REC FROM HOUSE; S-REF TO COM ON ABC.
- H. 969 (JOHNSTON) AIRPORT AUTHORITY. H-PASSED 3RD READING.
- H. 972 (ORANGE) JOINT TRANSPORTATION COMMISSION.(5/31) H-COM AMEND ADOPTED; H-PASSED 2ND READING.
- H. 987 (DURHAM) DURHAM CITY-COUNTY CHARTER COMM'N.(5/31) H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING.
- H. 992 (MONTGOMERY) CANDOR COMM'RS AND MAYOR TERM.(5/31) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 993 (UNION) MONROE RECREATION COMM'N REPEAL. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1005 (PAMLICO) INCORPORATING MESIC.(5/31) H-COM AMEND ADOPTED; H-PASSED 2ND READING.
- H.1017 (CURRITUCK) REGISTER OF DEEDS' SALARY. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

Next Session of House: 11:30 a.m., Tuesday, June 1, 1971.

Next Session of Senate: 12 noon, Tuesday, June 1, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 100

-891-

TUESDAY, JUNE 1, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 726 CPA certificate fees
Introducer: Burney (by request)

GS 93
Sent to FINANCE

"To amend G.S. 93-12 relating to powers and duties of the State Board of Certified Public Accountant Examiners." Amends GS 93-12 to raise from \$35 to \$50 maximum fee State Board of CPA Examiners may charge for each examination and certificate, and to raise from \$15 to \$25 maximum renewal fee. Removes provision of GS 93-12(7) allowing applicant who has received passing grade in one subject to be re-examined within 18 months on payment of re-examination fee not to exceed \$25. Rewrites GS 93-12(14) to remove requirement that Board's surplus funds over \$1,500 are to be paid to State Treasurer, providing instead that treasurer of Board shall keep all fees and other monies received by Board in a separate fund to be used only for proper and necessary purposes of Board, and that no expense incurred by Board shall be charged to State.

S 727 Vocational rehab centers-funds (Iden. H 1138)
Introducers: White and others

APPROPRIATION
Sent to APPROPN

"To appropriate funds to implement a statewide system of comprehensive vocational rehabilitation centers." Identical with H 1138, digested in the House section of today's Bulletin.

H 728 Children's Home Society funds
Introducer: McLendon

APPROPRIATION
Sent to APPROPN

"To appropriate funds to the Children's Home Society of North Carolina to assist in financing the placement in adoptive homes of children who would otherwise be dependent on public support." Appropriates \$150,000 for 1971-1973 biennium (\$75,000 for each fiscal year) as title indicates. Effective July 1, 1971.

S 729 Day-care licensing funds
Introducer: McLendon

APPROPRIATION
Sent to APPROPN

"To appropriate the sum of \$434,000 to the Child Day Care Licensing Board for the purpose of administration of the child day care facilities program." Makes appropriation from General Fund as title indicates, with moneys divided evenly between fiscal 1971-72 and fiscal 1972-73. Conditions appropriation on passage of day care licensing act, and provides that \$46,000 of appropriation for each year to go to State Board of Health for health and sanitation inspections of licensed facilities. Effective July 1, 1971.



HOUSE

H 1135 No disclosure-estates' assets
Introducer: J.M. Johnson

GS 28
Sent to JUDIC 2

"To prohibit disclosure of information relating to assets of decedents' estates." Adds new GS 28-290 providing no information relating to the value of all or any part of assets of a decedent's estate obtained from any financial inventory or accounting filed with clerk of superior court shall be divulged or released by clerk, personal representative, heir or creditor to any person other than the clerk, personal representative, heirs, creditors or tax authorities except by written approval of all heirs of decedent filed with clerk.

H 1136 (Joint Resolution) Memorializing Brantley
Introducers: Falls and others

MISC RES
Placed on calendar

"Honoring the life and memory of Robert Earley Brantley, former member of the General Assembly." As title indicates.

H 1137 Bulk tobacco barns sales tax
Introducer: Auman

GS 105
Sent to FINANCE

"To amend G.S. 105-164.4(1) to provide that the sales tax imposed shall be only at the rate of one percent (1%) of the sales price, subject to a maximum tax of eighty dollars per article, on sales of bulk tobacco barns and racks and all parts, accessories and similar apparatus used for the curing and drying of farm produce." Adds sales of bulk tobacco barns and racks and parts and accessories thereto and similar apparatus used for curing and drying of farm produce to items in GS 105-164.4(1) subject to only 1% sales tax, with \$80 maximum. Effective July 1, 1971.

H 1138 Vocational rehab centers-funds (Iden. S 727)
Introducers: H. Rountree and others

APPROPRIATION
Sent to APPROPRN

"To appropriate funds to implement a Statewide system of comprehensive vocational rehabilitation centers." Makes following appropriations from General Fund to Division of Vocational Rehabilitation of State Board of Education: (1) \$50,000 to complete plans for development of State rehabilitation institute; (2) \$975,828 to match federal or other non-state sources for construction and equipment of two regional comprehensive vocational rehabilitation centers; and (3) \$140,000 to establish ten vocational rehabilitation counseling and placement units.

H 1139 Veterinary med study funds
Introducers: Huskins and Collins

APPROPRIATION, STUDY
Sent to APPROPRN

"To appropriate funds to continue the study of the feasibility of establishing a school of veterinary medicine and to provide additional spaces for students of veterinary medicine at institutions outside the state." Appropriates \$25,000 for 1971-1973 biennium to Board of Higher Education to finance continued study of the need for a school of veterinary medicine in NC and the feasibility of establishing such a school (study to be conducted in cooperation with UNC). Appropriates, effective July 1, 1972, from General Fund to Board of Higher Education \$30,000 to be used to purchase up to ten additional spaces for North Carolinians at schools of veterinary medicine located in other states

H 1142 Rutherford forest ranger funds
Introducer: Jones

APPROPRIATION
Sent to APPROPN

"To appropriate funds to the Department of Conservation and Development so as to provide an assistant forest ranger for Rutherford County." As title indicates, appropriates \$6,642 for fiscal year 1971-72 and \$6,654 for fiscal year 1972-73 out of General Fund to provide for assistant forest ranger in Rutherford County.

H 1143 Placing waste in State waters
Introducer: Jones

GS 14, 143
Sent to WATER

"To amend G.S. 14-134.1 to clarify its provisions with regard to placing wastes in the waters of the State." Amends indicated section by rewriting provision prohibiting depositing named materials in river or stream, to prohibit the placing, depositing or leaving (or causing any one of those things to happen) of materials in stream within State's jurisdiction, whether it is done temporarily or permanently, so long as it is not specifically authorized by law or lawful authority. Effective July 1, 1971.

H 1144 Non-delivery insurance policy
Introducer: Hightower

GS 14, 58
Sent to INSUR

"To amend Chapter 14 of the General Statutes of North Carolina to provide criminal penalties for insurance agents who fail to deliver insurance policies." Adds new GS 14-96.2 providing that any insurance broker, agent, etc., or employee thereof (as defined in GS 58-39.4) who advises any person he has secured insurance coverage applied for and who fails to deliver, within 30 days, sufficient written binder or policy of insurance covering such risk, is guilty of misdemeanor punishable by fine from \$50 to \$300. Effective Jan. 1, 1972.

H 1145 Validate trustee substitutions
Introducer: Clark

GS 45
Sent to JUDIC 2

"Validating certain trustee substitutions wherein the certificate of the clerk has been omitted." Adds new GS 45-12.1 providing in all instances prior to May 25, 1971, where power of substitution provided in GS 45-10 ("Substitution of trustees in mortgages and deeds of trust") has been exercised with respect to a former trustee who died a resident of county where deed of trust is recorded without certificate required by GS 45-12 ("Certificate by clerk of superior court"), the same are validated.

H 1146 City auto license tax increase
Introducers: Harkins and others

GS 20, 160
Sent to FINANCE

"To amend G.S. 20-97 to increase from \$1.00 to \$5.00 the maximum automobile license tax which may be levied by municipalities." As title indicates. Effective June 30, 1971.

H 1147 Broughton Hosp. neurosurgical unit (Iden. S 713)
Introducer: Raynor

APPROPRIATION, GS 122
Sent to APPROPN

"To appropriate funds to the State Department of Mental Health to provide for the operation of a neurosurgical-medical unit at Broughton Hospital." Identical with S 713 digested in Bulletin No. 98, p. 867.

H 1151 Reduced petroleum products fees
Introducer: Martin

GS 119
Sent to FINANCE

"To reduce the inspection fee on certain petroleum products." Amends GS 119-18, leaving fee of 1/4¢ per gallon on kerosene, to reduce from 1/4¢ per gallon to 1/20¢ per gallon the inspection fee on gasoline and other products of petroleum used as motor fuel. Effective July 1, 1971.

None

H 1140 Wallace contract bid limits
Introducer: Baker

DUPLIN
Sent to LOC GOVT

H 1141 End New Bern civil service bd.
Introducer: Barker (by request)

CRAVEN
Sent to LOC GOVT

H 1148 Fayetteville firemen's fund
Introducers: G. Jernigan, Bryan, High and Raynor

CUMBERLAND
Sent to LOC GOVT

H 1149 Knightdale police/fire powers

WAKE

Introducers: Wynne, R. Farmer, S. Johnson and Twiggs Sent to LOC GOVT

H 1150 Reidsville ABC profits

ROCKINGHAM

Introducers: McMichael and Webster

Sent to LOC GOVT

"To provide for the division of ABC profits in the City of Reidsville." Amends Ch. 650, SL 1965 to provide that 60% of net profits of Reidsville ABC stores are to go to city for any proper governmental purpose. (Current law provides that 50% go to city; effect of change is to reduce the "remaining net profits" available for distribution to General Fund of Rockingham County.)

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

- S 53 Auto bumpers (original bill digested in Bulletin No. 10, p. 57; Committee Substitute adopted in Senate 4/29/71 digested in Bulletin No. 77, p. 621; amendment adopted in House 5/28/71 digested in Bulletin No. 98, p. 875)
Amendment adopted in House 5/31/71 removes provision that act applicable only to motor vehicles not for hire, and provides that manufacturer's warranty must be given only at original sale in NC.
- S 334 Workmen's Comp.-employee death-2 (digested in Bulletin No. 53, p. 383)
Committee Substitute adopted in Senate 6/1/71 strikes all provisions of original bill and adds new paragraph to GS 97-61.6 providing that if employee has asbestosis or silicosis and dies from any other cause, the employer shall pay, or cause to be paid, by a method set forth in GS 97-38 compensation for any remaining portion of the 104 weeks specified in GS 97-61.5 for which the employee has not previously been paid compensation, and in addition shall pay compensation for such number of weeks as percentage of disability of employee bears to 196 weeks.
- S 467 (Onslow) Swansboro charter revision (digested in Bulletin No. 70, p. 550)
Amended in Senate 6/1/71 to limit town attorney's attendance at town board meetings to cases where he is requested to attend, and make technical changes.
- S 577 Purchased gas adjustment clauses (digested in Bulletin No. 84, p. 696)
Amendment adopted in Senate 6/1/71 authorizes Utilities Comm'n to by order make subsections (b), (c) and (d) of GS 62-133 to apply to rate changes, notwithstanding the new subsection added by the bill.
- S 622 Study Comm'n, UNC utilities (Identical with H 817, digested in Bulletin No. 77, p. 618)
Amendments adopted in Senate 6/1/71 increase study comm'n membership to fifteen by adding mayor or alderman of Carrboro, mayor or alderman of Chapel Hill, and a county comm'r of Orange County.

HOUSE BILLS

- H 91 Indecent exposure act (Identical with S 52, digested in Bulletin No. 9, p. 54; House amendment adopted 5/24/71 digested in Bulletin No. 94, p. 813)
Committee Substitute adopted in House 6/1/71 differs from original bill by providing that it is only exposure in presence of opposite sex that is prohibited, and differs from amended bill of 5/24/71 by removing exemption of Johnston County from section two of bill.
- H 100 Day-care facilities-2 (Iden. S 72) (digested in Bulletin No. 12, p. 77)
Committee Substitute for H 100 adopted in House 6/1/71 is identical in substance with Committee Substitute for S 72, adopted in Senate 5/25/71 and digested in Bulletin No. 95, p. 831.
- H 156 Retail Installment Sales Act (digested in Bulletin No. 18, p. 117; Committee Substitute digested in Bulletin No. 97, p. 860)
Amendment adopted in House 6/1/71 for time of completed payment to be 50 months if amount financed is \$1,500 or greater but less than \$2,500 (was, in substitute \$3,000); 122 months (was 86) if amount financed is \$2,500 (was \$3,000) or greater, but less than \$5,000; 182 months (was 146) if the amount financed is \$5,000 or greater but less than \$10,000.

H 478 Pay for school-injured teachers (digested in Bulletin No. 48, p. 347)

Committee Substitute adopted in House 6/1/71 removes provision that violence must involve student, trespasser, or another teacher for teacher to continue to receive salary; provides that benefits of act are only in lieu of Workmen's Compensation benefits (originally in lieu of all other benefits during period); and provides that teacher must participate in or provoke violence (rather than be "engaged in" violence) to be denied benefits. Adds new section providing procedure for claiming benefits, as follows: filing claim with local board of education within one year, decision in writing by local board within 30 days, appeal to Industrial Comm'n if written notice served within 30 days of receipt of local board's decision, hearing de novo before Comm'n, appeal to Court of Appeals as provided in GS 143-293 and -294.

H 541 (Moore, Carteret, Caldwell, Burke, Nash) Graveyards-parking & littering (digested in Bulletin No. 56, p. 404; Amendment digested in Bulletin No. 93, p. 800)

Amendment adopted in Senate 6/1/71 adds Caldwell, Burke and Nash Counties to bill.

H 717 No drinking after driving (digested in Bulletin No. 66, p. 508)

Committee Substitute adopted in House 6/1/71 makes following substantive changes: (1) Makes punishment for violation of proposed GS 20-139.2 ("Driving after drinking") fine up to \$500, imprisonment up to 6 months, or both (originally, fine of \$50-250, imprisonment 15 days-3 months, or both). (2) Adds new GS 20-16(a)(12) permitting DMV to suspend license upon conviction of two charges of driving after drinking within a 12 month period, or one such charge and one charge of speeding in excess of 55 miles per hour or one charge of reckless driving, both committed within a twelve month period. (3) Deletes amendment to GS 20-17 providing for mandatory 6-month suspension of license for violation of proposed GS 20-139.2.

H 782 Poll book, voting records (digested in Bulletin No. 73, p. 579)

Amendment adopted in House 6/1/71 permits county to adopt ballot or authorization receipt system in use in Mecklenburg County, in lieu of poll book, with written approval of State Board of Elections.

H 846 Return of recorded maps (digested in Bulletin No. 79, p. 639)

Committee Substitute adopted in House 6/1/71 requires each map presented for recordation be "a reproducible map in cloth, linen, film or other permanent material." Requires direct or photographic copy of each recorded map to be placed in map book and properly indexed.

H 857 (Forsyth) Sediment control (digested in Bulletin No. 80, p. 652; amendments adopted in House 5/14/71 and 5/18/71 digested in Bulletin No. 88, p. 749 and Bulletin No. 90, p. 766)

Amendment adopted in Senate 6/1/71 specifically exempts normal agricultural operations from projects for which ordinances may be adopted.

H 900 Leg've approval-non SPA salaries (digested in Bulletin No. 83, p. 686; amendments adopted in House 5/26/71 digested in Bulletin No. 96, p. 848)

Amendments adopted in House 6/1/71 remove provision that new salaries for new positions become effective only on approval of legislature (leaving in provision for requiring legislative approval for salary increases for existing positions), and renumber new sections to be added by act.

H 919 (Durham) Special assessments law-Durham (digested in Bulletin No. 85, p. 711)

Amendment adopted in Senate 6/1/71 adds proviso that new section added by bill shall not preclude payment of assessments in advance of the maturity or installment schedule.

SENATE AND HOUSE

CALENDAR ACTION

JUN. 01, 1971

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 53 AUTO BUMPERS. (4/29, 5/28, 5/31) S-REC TO CONCUR IN H AMEND;
 S-CONCURRED IN H AMEND.
 S. 106 (J. RES.) CONSUMER CREDIT CODE STUDY. H-RECALLED FROM COM;
 H-RE-REF COM ON JUDIC 2.
 S. 115 DRIVERS-CONVICTION OUTSIDE STATE. (5/07, 5/28) S-CONCURRED IN
 H AMEND.
 S. 120 PROPERTY TAX RELIEF TO AGED. (5/31) S-FLOOR AMENDS FAILED;
 S-PASSED 2ND READING.
 #S. 289 REGULATING KERR LAKE USE. RATIFIED CH. 464.
 S. 325 REPAYING SAVINGS & LOAN ASS'N. (5/28) S-CONCURRED IN H AMEND.
 S. 334 WORKMEN'S COMP.-EMPLOYEE DEATH-2. (6/01) S-REPTD FAV COM
 SUBSTITUTE, S-COM SUBSTITUTE ADOPTED.
 #S. 404 BANKS SUSPENDING BUSINESS-EMERGENCY. (5/13) RATIFIED CH. 465.
 #S. 419 (J. RES.) CHATTOOGA AS WILD RIVER. RATIFIED RES. 75.
 #S. 469 SAVINGS & LOANS-MATURITIES. RATIFIED CH. 466.
 #S. 484 ARCHIVES AND HISTORY-LAW REWRITE. (5/07, 5/28) RATIFIED CH.
 480.
 #S. 521 LOCAL OPTION ED. UNITS. RATIFIED CH. 467.
 #S. 557 PHARMACIST GENERAL LICENSE. (5/28) RATIFIED CH. 481.
 #S. 558 PHARMACIST INTERN LICENSE. (5/28) RATIFIED CH. 482.
 #S. 559 PHARMACISTS TEMPORARY RECIPROCITY. RATIFIED CH. 468.
 #S. 568 EXEMPT TRAINING SCHOOLS FROM COSTS. RATIFIED CH. 469.
 S. 569 CIVIL PROCEDURE CHANGES. S-REPTD FAV AS AMENDED.
 S. 577 PURCHASED GAS ADJUSTMENT CLAUSES. (6/01) S-COM AMEND ADOPTED;
 S-PASSED 2ND & 3RD READING.
 S. 579 TRANSFER OF RECORDED SOUNDS. S-REPTD FAV.
 S. 590 ABSENTEE VOTING IN PRIMARY. S-REPTD FAV.
 #S. 606 AREA MENTAL HEALTH PROGRAMS. RATIFIED CH. 470.
 #S. 607 COMMIT MENTALLY ILL-INEBRIATE. RATIFIED CH. 471.
 S. 609 INTERNATIONAL COOPERATION COMM'N. (5/28) H-REC FROM SENATE;
 H-REF TO COM ON ST GOVT.
 #S. 619 INSPECTION OF BAKERIES. RATIFIED CH. 474.
 #S. 620 NO COLORING OF WHITE BREAD. RATIFIED CH. 475.
 S. 622 STUDY COMM'N, UNC UTILITIES. (6/01) S-COM AMENDS ADOPTED;
 S-PASSED 2ND & 3RD READING.
 S. 638 AUTO INSUR. CLASS. 260 PLAN. H-REC FROM SENATE; H-REF TO COM
 ON INSUR.
 S. 642 NC INDIAN AFFAIRS COMM'N. S-REPTD FAV AS AMENDED; S-PLACED
 ON CAL FOR JUNE 3.

- S. 651 MOREHEAD COMMISSION POWERS. S-PASSED 2ND & 3RD READING.
S. 677 JUVENILE PROBATION OFFICERS-APP.. S-REPTD FAV.
S. 699 PILOTS ASSOCIATION PENSION FUND. S-REPTD FAV.
S. 701 CAPE FEAR RIVER PILOT FEES. S-REPTD FAV.
- H. 91 INDECENT EXPOSURE ACT.(5/24, 6/01) H-REPTD FAV COM
SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
H. 100 DAY-CARE FACILITIES-2.(6/01) H-REPTD FAV COM SUBSTITUTE; H-COM
SUBSTITUTE ADOPTED; H-PLACED ON CAL FOR JUNE 3.
H. 156 RETAIL INSTALLMENT SALES ACT.(5/27, 6/01) H-FLOOR AMEND
ADOPTED; H-PASSED 2ND & 3RD READING.
#H. 191 FIRE INS. STAT. OF LIMITATIONS-2.(5/14) RATIFIED CH. 476.
#H. 230 HOUSE APPORTIONMENT.(5/18) RATIFIED CH. 483.
#H. 241 DAY-CARE FACILITIES-4. H-REPTD UNFAV.
H. 293 LESSOR'S LIENS, PROCEEDS OF SALE.(5/20) S-REPTD FAV.
#H. 335 DAY-CARE FACILITIES-5. H-REPTD UNFAV.
#H. 388 AUTO PLATES-SEPARATED SPOUSE.(5/06, 5/27) RATIFIED CH. 477.
H. 468 REGULATING SUBDIVISION SALES. S-PLACED ON CAL FOR JUNE 7.
#H. 470 AUTO INSPECTION REQUIREMENTS.(3/31, 3/31, 5/19) RATIFIED CH.
478.
H. 478 PAY FOR SCHOOL-INJURED TEACHER.(6/01) H-REPTD FAV COM
SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
H. 649 ENVIRONMENTAL POLICY ACT.(5/28) H-PASSED 2ND & 3RD READING.
H. 650 MINING ACT OF 1971.(5/27) S-REC FROM HOUSE; S-REF TO COM ON
JUDIC 2.
H. 686 DISPOSING OF ABANDONED VEHICLES. S-PASSED 2ND & 3RD READING.
H. 700 TORT CLAIMS-LOCAL LIABILITY.(5/25) H-RE-REF COM ON JUDIC 2.
H. 717 NO DRIVING AFTER DRINKING.(6/01) H-REPTD FAV COM SUBSTITUTE;
H-COM SUBSTITUTE ADOPTED.
H. 727 NO LOITERING AT POLLS.(4/30, 5/13) S-REPTD FAV AS AMENDED.
H. 773 WORKMEN'S COMP. APPEALS EXPENSE.(4/29) S-REPTD FAV.
H. 780 AID TO PRIVATE COLLEGES.(5/12, 5/18) S-PLACED ON CAL FOR
JUNE 3.
H. 782 POLL BOOK, VOTING RECORDS.(6/01) H-COM AMEND ADOPTED; H-PASSED
2ND READING.
#H. 842 DRIVER'S LICENSE SUSPENSION. H-REPTD UNFAV.
H. 845 RECORDED INSTRUMENTS, QUALITY. H-REPTD FAV.
H. 846 RETURN OF RECORDED MAPS.(6/01) H-REPTD FAV COM SUBSTITUTE;
H-COM SUBSTITUTE ADOPTED.
H. 855 FORESTERS REGISTRATION.(5/27, 5/28) S-REC FROM HOUSE; S-REF
TO COM ON ST GOVT.
H. 875 DRIVERS-2 CONVICTIONS OVER 55 MPH. H-REPTD FAV.
#H. 883 TENANT SECURITY DEPOSIT ACT. H-REPTD UNFAV.
H. 900 LEG'VE APPROVAL NON-SPA SALARIES.(5/26, 6/01) H-FLOOR AMENDS
ADOPTED; H-PASSED 2ND & 3RD READING.
H. 935 PRIMARY CANDIDATE QUALIFICATIONS.(5/28) H-PASSED 2ND & 3RD
READING.
H. 960 BARBER'S FEES. H-PASSED 2ND & 3RD READING.
H. 967 PLEDGE TO PARTY NOMINEES. S-REC FROM HOUSE; S-REF TO COM ON
POLICIES.
H. 1018 CUSTODY, SUPPORT SUIT-COUNSEL FEES. H-REPTD FAV.

- H.1041 COUNTY & CITY AUXILIARY POLICE. H-REPTD FAV.
- H.1044 HUSBAND-WIFE TRESPASS TESTIMONY. H-REPTD FAV.
- H.1122 RECORDATION OF SERVICE DISCHARGE. H-REPTD FAV.
- #H.1131 (J.RES.) MEMORIALIZING ARCHIBALD R. TAYLOR. RATIFIED RES. 76.
- #H.1132 (J.RES.) MEMORIALIZING R.O. EVERETT. RATIFIED RES. 77.
- H.1136 (J.RES.) MEMORIALIZING BRANTLEY. H-PLACED ON CAL FOR JUNE 2.

LOCAL BILLS

- S. 467 (ONslow) SWANSBORO CHARTER REVISION.(6/01) S-COM AMEND ADOPTED; S-PASSED 2ND READING.
- #S. 608 (ROCKINGHAM) BOARD OF HEALTH PAY. RATIFIED CH. 472.
- #S. 610 (WAKE) TAX SUPERVISOR AND TAX COLLECTOR. RATIFIED CH. 473.
- S. 637 (DAVIDSON) THOMASVILLE CITY ELECTIONS. S-PASSED 2ND & 3RD READING.
- S. 647 (BUNCOMBE) ASHEVILLE AG. DEVELOPMENT FUNDS. S-PASSED 2ND & 3RD READING.
- H. 541 (CARTERET, MOORE) GRAVEYARDS-PARKING & LITTERING.(5/21, 6/01) S-COM AMENDS ADOPTED; S-PASSED 2ND & 3RD READING.
- H. 613 (MECKLENBURG) HUNTERSVILLE TAX PAYMENT DISCOUNT.(5/21) S-PASSED 2ND & 3RD READING.
- #H. 625 (GREENE) TB DETECTION FUNDS SOLICITATION. RATIFIED CH. 479.
- H. 854 (MADISON) ABOLISH INDUST. DEV. COMM'N. S-PASSED 2ND & 3RD READING.
- H. 857 (FORSYTH) SEDIMENT CONTROL.(5/14, 5/18, 6/01) S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- H. 859 (DARE) BEER AND WINE ELECTIONS. S-REPTD FAV.
- H. 861 (DARE) AIRPORT AUTHORITY. S-PASSED 2ND READING.
- H. 877 (BLADEN) BAIL BONDSMEN.(5/21) S-PASSED 2ND & 3RD READING.
- H. 879 (ROCKINGHAM) MADISON CHALLENGE DAY.(5/21) S-PASSED 2ND & 3RD READING.
- H. 889 (ROCKINGHAM) MADISON ABC PROFITS. S-REPTD FAV.
- H. 894 (CUMBERLAND) IDENTIFICATION BUREAU ABOLISHED. S-PASSED 2ND & 3RD READING.
- #H. 895 (NORTHAMPTON) CONTROL SWINE RUNNING AT LARGE. RATIFIED CH. 484.
- H. 901 (MARTIN) ROBERSONVILLE TOWN LIMITS. S-PASSED 2ND READING.
- H. 907 (BUNCOMBE) ELIADA HOMES CHILDREN. S-PASSED 2ND & 3RD READING.
- H. 915 (WAKE) HOLLY SPRINGS CHARTER CHANGE. S-PASSED 2ND & 3RD READING.
- H. 917 (DUPLIN) EXTENDING AMBULANCE CRIMES LAW. S-PASSED 2ND & 3RD READING.
- H. 919 (DURHAM) SPECIAL ASSESSMENTS LAW-DURHAM.(6/01) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- H. 923 (CHOWAN) EDENTON CHARTER REFERENDUM.(5/21) S-PASSED 2ND & 3RD READING.
- H. 925 (PERQUIMANS) HERTFORD ELECTION LAW. S-PASSED 2ND & 3RD READING.
- H. 930 (MECKLENBURG) CORNELIUS TAX PAYMENT DISCOUNT.(5/21) S-PASSED 2ND & 3RD READING.

H. 937 (PITT) LANDFILL BY EMINENT DOMAIN. S-PASSED 2ND READING.
H. 966 (ANSON) LILESVILLE CHARTER.(5/31) H-PASSED 3RD READING.
H. 969 (JOHNSTON) AIRPORT AUTHORITY. S-REC FROM HOUSE; S-REF TO COM
ON LOC GOVT.
H. 972 (ORANGE) JOINT TRANSPORTATION COMMISSION.(5/31) H-PASSED 3RD
READING.
H. 987 (DURHAM) DURHAM CITY-COUNTY CHARTER COMM'N.(5/31) H-PASSED
3RD READING.
H.1005 (PAMLICO) INCORPORATING MESIC.(5/31) H-PASSED 3RD READING.

Next Session of House: 11:30 a.m., Wednesday, June 2, 1971.

Next Session of Senate: 12 noon, Wednesday, June 2, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 101

-901-

WEDNESDAY, JUNE 2, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 731 Teaching first aid in schools (Iden. H 1155)
Introducer: Kirby

GS 115
Sent to EDUCATN

"To require the teaching of first aid in public schools." Amends G.S. 115-37, 115-198, and 115-204 to add course in first aid as course required to be included in outline course of study to be prepared by Sup't of Public Instruction and taught at appropriate grade levels in the public schools.

S 732 Aid to private colleges--funds
Introducers: Church and others

APPROPRIATION
Sent to APPROPN

"Appropriating funds to utilize the resources of private colleges and universities in educating North Carolina students." Appropriates from General Fund to Dep't of Administration \$4,600,000 for FY 1971-72 and \$4,600,000 for FY 1972-73 to fund program of scholarship aid to needy North Carolina students at private institutions of higher education to be established by Sec. 1 of H 780 (Committee Substitute digested in Bulletin #86, page 727). Appropriates to Dep't of Admin. \$600,000 for FY 1972-73 to fund program of scholarship aid to needy NC students at private institutions enrolled in addition to number enrolled on October 1, 1970, to be established by Sec. 2 of H 780. Effective July 1, 1971.

S 733 Workmen's Comp.-employee death-3
Introducer: Staton

GS 97
Sent to MFG LABR

"To amend G.S. 97-40 relating to payment of death benefits under the Workmen's Compensation Act." Amends indicated section to specifically include adult children, brothers or sisters in the "next of kin" that may share the lump sum payable if the deceased has no dependents. Specifically excludes from "next of kin" any parent who wilfully abandoned the care and maintenance of child and did not resume that responsibility at least one year prior to the child's death. Provides that if, in setting the priority for "next of kin" benefits a parent is excluded on the basis of the abandoning parent provision, then the claim for compensation benefits is to be treated as though the parent had predeceased the employee. Effective July 1, 1971.

S 734 Revise private detective law
Introducer: Strickland

GS 66, 105
Sent to JUDIC 1

"To revise the private detective law." Generally revises Art. 9A, G.S. Ch. 66 (Private Detectives). Adds operation of polygraph device as part of definition of detective business, and authorizes Director of SBI to establish standards for qualified operators. Clarifies definition of certain activities not included within definition of detective business. Requires application for detective license to be verified. Extends term of detective license from one to two years. Fixes \$200 fee for issuance of



license (none specified in present law). Adds new G.S. 66-49.5A to require all persons employing other persons licensed by Article to furnish Director with name, photo, and fingerprints of employee, and to notify Director of termination of employment. Requires appeal from suspension or revocation of license to be filed in Wake County Superior Court (now, county of residence of licensee), and provides that appeals shall be otherwise governed by G.S. Chapter 150. Requires head of branch offices to be licensed detectives. Forbids licensed detectives to hold commission as company or special police. Makes other clarifying changes. Amends G.S. 105-42 to prohibit issuance of privilege license under Schedule B of Revenue Act until applicant exhibits detective license issued by Director. Repeals SL 1971, Ch. 72 (local act authorizing Sheriff of Columbus County to appoint special deputies for private employers).

S 735 Driver license probation
Introducers: Scott and Jones

GS 20
Sent to HY SAFTY

"To amend G.S. 20-16 to provide discretionary probation in lieu of suspension for certain violations of the motor vehicle law." Amends GS 20-16(c) and (d) to Dep't of Motor Vehicles to place driver on one-year probation rather than to suspend license for following offenses now listed in GS 20-16(a): (1) offense for which revocation is mandated; (2) involvement in accident causing serious injury or damage where licensee negligent and damage not compensated for; (3) habitual reckless or negligent driver; (4) incompetent driver; (5) accumulation of points requiring suspension or revocation; (6) fraudulent or unlawful use of license; (7) commission of offense in other State which would be grounds for suspension or revocation in NC; (8) illegal transportation of liquor; (9) speeding charges in 12 months that would require suspension or revocation; (10) speeding in excess of 75 mph (omitting only item (11) of GS 20-16(a)--court sentence suspending sentence on condition that licensee not operate motor vehicle for period of time. Present provisions of GS 20-16(c) and (d) allow probation in lieu of suspension for items (5), (9) and (10) above.) Provides (as now) that violation of probation shall require suspension for remainder of probation period, and that accumulation of 3 or more points shall violate condition of probation. Effective July 1, 1971.

S 736 Juvenile court changes
Introducer: Bailey

GS 7A, 14, 110
Sent to COURTS

"To clarify certain matters pertaining to juvenile cases in district court." Reorganizes G.S. 7A-286 to make it clear that child may be committed to Board of Juvenile Correction only if found to be delinquent (now, organization of statute indicates that this may also be done if child is "undisciplined"), and to make clear that judge may combine any two of listed alternatives in best interest of child. Amends GS 7A-286(5) to provide for certification of mental illness or retardation by psychiatrist or licensed psychologist in addition to physician. Revises G.S. 14-316.1 to limit misdemeanor of contributing to delinquency and neglect by parents and other in loco parentis to child under 16 years of age (now, no age limit), and to generally clarify and modernize language of statute. Amends GS 110-22 to permit court to make "any disposition of the matter authorized by GS 7A-286" when child violates probation conditions. (Now, any disposition it might have made if child on probation.) Effective September 1, 1971.

S 738 Reflectors for disabled trucks
Introducer: Crawford

GS 20
Sent to HY SAFTY

"To amend G.S. 20-161 to authorize use of reflex reflectors as a warning device for disabled trucks, trailers, and semi-trailers." As title indicates; adds reflex reflectors as permissible warning device in addition to red flares or lanterns. Effective July 1, 1971. (Note: this bill amends GS 20-161 as that section read prior to its revision by S 57-Ch. 294 of the 1971 Session Laws.)

S 739 No hitchhiking on interstates
Introducer: Crawford

GS 136
Sent to HY SAFTY

"To amend G.S. 136-89.58 to prohibit walking along or soliciting rides on interstate highways or other controlled access facilities." Amends G.S. 136-89.58 to prohibit solicitation of rides, employment, business or contributions, or to stand or walk along interstate or controlled access highway. Effective July 1, 1971.

HOUSE

H 1154 School board hearings
Introducers: F. Farmer and others

GS 115
Sent to EDUCATN

"Amending G.S. 115-34 to provide for hearings by less than the full board of education." Amends G.S. 115-34 to permit appeals of school personnel to board of education to be heard by panels of not less than 2 members of board.

H 1155 Teaching first aid in schools (Iden. S 731)
Introducers: Frye and others

GS 115
Sent to EDUCATN

"To require the teaching of first aid in public schools." Identical with S 731 digested in the Senate section of today's Bulletin.

H 1156 Council on Aging funds
Introducer: Beatty

APPROPRIATION
Sent to APPROPRN

"To appropriate funds to the Governor's Coordinating Council On Aging." Appropriates \$36,000 for 1971-73 biennium--\$18,000 for each fiscal year, as title indicates. Effective July 1, 1971.

H 1157 Self-help drug rehab center funds
Introducers: Beatty and Raynor

APPROPRIATION
Sent to APPROPRN

"To appropriate funds to provide for the funding of self-help drug rehabilitation centers." Appropriates out of General Fund \$250,000 for fiscal year 1971-72 and \$250,000 for fiscal year 1972-73 to Bd. of Mental Health to supplement financial needs of centers and groups established for rehabilitation of drug addicts through employment of self-help methods. Provides any unused funds from first year to be retained for use second year.

LOCAL BILLS INTRODUCED

SENATE

S 730 County commissioner districts
Introducer: Allsbrook

HALIFAX
Sent to LOC GOVT

"To provide for a more uniform representation of the people of Halifax County on the Board of County Commissioners." Divides Halifax County into following county comm'r districts: (1) Littleton, Butterwood and Brinkleyville Townships (one comm'r); (2) Roanoke Rapids Township (two comm'rs); (3) Weldon and Faucetts Townships (one comm'r); (4) Halifax and Enfield Townships (one comm'r); and (5) Connoconara, Scotland Neck, Roseneath and Palmyra Townships (one comm'r). Provides for all to be nominated and elected by voters at large. Provides for present comm'rs to continue in office until terms expire and provides for dates for election of comm'rs under plan.

S 737 Amending SL 1971, Ch. 399
Introducer: Bingham

DAVIE
Sent to EDUCATN

"To amend Chapter 399 of the Session Laws of 1971 so as to permit the conveyance by the Davie County Board of Education to the Davie County Board of County Commissioners of property for governmental purposes." Amends cited Act to provide for reversion of described property to board of education if it ceases to be used for governmental (now, nonprofit recreational) purposes.

HOUSE

H 1152 Burlington school bd. property
Introducers: Long and Harris

ALAMANCE
Sent to LOC GOVT

"To amend Section 115-126 of the General Statutes of North Carolina so as to exclude the Burlington City Board of Education as to the sale of certain described real property." As title indicated authorizes Burlington City Bd. of Education to sell described realty at private sale on such terms and conditions as it deems appropriate. (GS 115-126 spells out procedure for sale of school property.)

H 1153 School merger election
Introducer: Webster

ROCKINGHAM
Sent to LOC GOVT

"To provide for an election on the issue of merger and consolidation of certain specifically described areas presently located in the Rockingham County School Administrative Unit." Provides for election to determine if described area now in Rockingham School Administrative Unit is to be consolidated with Madison-Mayodan School Administrative Unit. Non-partisan election to be held on date established by Rockingham County Commissioners within 60 days from ratification of act, and to be conducted by Rockingham County Board of Elections pursuant to provisions of GS Ch. 163. Prohibits absentee voting and prescribes ballot.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 64 Retirement of judges-stat. (Identical with H 89 digested in Bulletin No. 11, p. 68)
Technical amendments adopted in House 6/2/71.

S 569 Civil procedure changes (digested in Bulletin No. 84, p. 695)
Amendments adopted in Senate 6/2/71 to make technical changes and to extend alternative method of service under Rule 4(j)(9) to cases where foreign corporation's agent cannot with due diligence be served in normal manner.

HOUSE BILLS

H 687 (Buncombe, Duplin, Pamlico) Repealing charters-inactive towns (digested in Bulletin No. 64, p. 492; amendments digested in Bulletin No. 96, p. 847)
Amendment adopted in House 6/2/71 removes from list of towns whose Charters are repealed by bill the following: Serecta (Duplin), Alexander (Buncombe), and Hollyville (Pamlico).

H 990 Civil Air Patrol license plates (digested in Bulletin No. 91, p. 773)
Amendment adopted in House 6/2/71 removes specifications as to where words "North Carolina" and "Civil Air Patrol" and year designation are to be placed on license plate.

SENATE AND HOUSE

CALENDAR ACTION

JUN 02, 1971

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PUBLIC BILLS

- #S. 53 AUTO BUMPERS.(4/29, 5/28, 5/31) RATIFIED CH. 485.
 S. 64 RETIREMENT OF JUDGES-STAT..(6/02) H-FLOOR AMEND ADOPTED;
 H-PASSED 3RD READING.
 #S. 115 DRIVERS-CONVICTION OUTSIDE STATE.(5/07, 5/28) RATIFIED CH.
 486.
 S. 120 PROPERTY TAX RELIEF TO AGED.(5/31) S-FLOOR AMENDS FAILED;
 S-PASSED 3RD READING.
 S. 151 REVENUE NOTES-HIGHER EDUCATION. H-REPTD FAV.
 #S. 205 GAME CARCASS TAGS. S-REPTD UNFAV.
 #S. 207 SQUIRREL-BUNNY SALE. S-REPTD UNFAV.
 #S. 325 REPAYING SAVINGS & LOAN ASS'N.(5/28) RATIFIED CH. 487.
 #S. 327 LOCAL DEER HUNTING CHANGE. S-REPTD UNFAV.
 S. 334 WORKMEN'S COMP.-EMPLOYEE DEATH-2.(6/01) S-PASSED 2ND & 3RD
 READING.
 S. 360 UTILITIES COMM'N-RATE POWER. H-REPTD FAV.
 S. 362 UTILITIES COMM'N-MOTOR CARRIERS.(5/10) H-REPTD FAV AS
 AMENDED.
 S. 364 UTILITIES COMM'N-SERVICE HEARINGS.(5/10) H-REPTD FAV.
 S. 369 UTILITIES COMM'N-EXEMPTION-1. H-REPTD FAV.
 S. 398 SAVINGS & LOAN ASSOC.-POWERS.(5/13) H-REPTD FAV.
 S. 429 FIRE LIGHT-DEER HUNTING PENALTY.(5/13) H-REPTD FAV.
 S. 461 LOAN TRANSFER FEE.(5/11) H-REPTD FAV.
 S. 475 STATE PURCHASES AND CONTRACTS. H-POSTPONED TO JUNE 8.
 S. 552 NONPAYMENT INSUR. ADVANCES. S-REPTD FAV.
 S. 569 CIVIL PROCEDURE CHANGES.(6/02) S-COM AMEND ADOPTED; S-PLACED
 ON CAL FOR JUNE 4.
 S. 570 NC SEED LAW REVISIONS. S-PASSED 2ND READING.
 S. 574 REGULATING UNC UTILITIES. H-REPTD FAV.
 S. 575 EXTENDING UNC UTILITIES. H-REPTD FAV.
 S. 576 BONDS FOR UNC UTILITIES. H-REPTD FAV.
 S. 577 PURCHASED GAS ADJUSTMENT CLAUSES.(6/01) H-REC FROM SENATE;
 H-REF TO COM ON PUB UTIL.
 S. 579 TRANSFER OF RECORDED SOUNDS. S-PASSED 2ND READING.
 S. 585 GROUP LIFE INSUR.-MAXIMUM PAYMENT. H-REPTD FAV.
 S. 590 ABSENTEE VOTING IN PRIMARY. S-PLACED ON CAL FOR JUNE 9.
 S. 609 INTERNATIONAL COOPERATION COMM'N.(5/28) H-REPTD FAV.
 S. 611 NO DRINKING IN VEHICLES. S-REPTD FAV AS AMENDED.
 S. 622 STUDY COMM'N,UNC UTILITIES.(6/01) H-REC FROM SENATE; H-REF
 TO COM ON HIGHR ED.

- S. 640 INSOLVENT INSURER GUARANTY ASSOC.. S-REPTD FAV.
- S. 651 MOREHEAD COMMISSION POWERS. H-REC FROM SENATE; H-REF TO COM ON LOC GOVT; H-RECALLED FROM COM; H-PLACED ON CAL FOR JUNE 3.
- S. 671 YOUTH COUNCIL APPROPRIATION. S-REPTD FAV AS AMENDED.
- S. 677 JUVENILE PROBATION OFFICERS-APP.. S-PASSED 2ND READING.
- S. 695 LANDLORD-TENANT JURISDICTION. H-REPTD FAV.
- S. 696 CONFORMING STATUTES TO GS 7A. H-REPTD FAV.
- S. 697 MOTORCYCLE RIDERS EYE PROTECT.. S-REPTD FAV.
- S. 699 PILOTS ASSOCIATION PENSION FUND. S-PASSED 2ND & 3RD READING.
- S. 701 CAPE FEAR RIVER PILOT FEES. S-PASSED 2ND & 3RD READING.
- S. 705 ACCIDENT CASE FILES TERMINATION. S-REPTD FAV.
- S. 712 LICENSE PLATES-CITIZENS RADIO. S-REPTD FAV.

- H. 89 RETIREMENT OF JUDGES-STAT.. H-POSTPONED TO JUNE 3.
- H. 91 INDECENT EXPOSURE ACT.(5/24, 6/01) H-PASSED 2ND & 3RD READING.
- #H. 176 BEAR HUNTING OUT-OF-SEASON. H-REPTD UNFAV.
- H. 293 LESSOR'S LIENS, PROCEEDS OF SALE.(5/20) S-PLACED ON CAL FOR JUNE 7.
- #H. 467 JONES COUNTY-HUNTING ON HIGHWAYS. S-REPTD UNFAV.
- H. 478 PAY FOR SCHOOL-INJURED TEACHER.(6/01) H-PASSED 2ND & 3RD READING.
- H. 649 ENVIRONMENTAL POLICY ACT.(5/28) S-REC FROM HOUSE; S-REF TO COM ON CONS&DEV.
- #H. 686 DISPOSING OF ABANDONED VEHICLES. RATIFIED CH. 489.
- H. 687 REPEALING CHARTERS-INACTIVE TOWNS.(5/26, 5/26, 6/02) H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING.
- H. 705 COASTAL PROTECTION, BEACH EROSION.(5/27) S-REC FROM HOUSE; S-REF TO COM ON CONS&DEV.
- H. 717 NO DRIVING AFTER DRINKING.(6/01) H-POSTPONED TO JUNE 8.
- H. 727 NO LOITERING AT POLLS.(4/30, 5/13) S-PLACED ON CAL FOR JUNE 3.
- H. 759 CRIMINAL JUSTICE ACADEMY. H-REPTD FAV; H-RE-REF COM ON APPROPRN.
- H. 773 WORKMEN'S COMP. APPEALS EXPENSE.(4/29) S-PASSED 2ND & 3RD READING.
- #H. 782 POLL BOOK, VOTING RECORDS.(6/01) H-TABLED.
- H. 795 STATE PURCHASES AND CONTRACTS. H-POSTPONED TO JUNE 8.
- H. 817 STUDY COMM'N, UNC UTILITIES. H-REPTD FAV.
- H. 818 REGULATING UNC UTILITIES. H-REPTD FAV.
- H. 819 BONDS FOR UNC UTILITIES. H-REPTD FAV.
- H. 820 EXTENDING UNC UTILITIES. H-REPTD FAV.
- H. 827 (J.RES.) BUSING STUDENTS-PETITION CONG.. H-REPTD FAV.
- H. 837 (J.RES.) MEMORIALIZING B.G. PARKER, JR.. S-REPTD FAV.
- H. 845 RECORDED INSTRUMENTS, QUALITY. H-PASSED 2ND & 3RD READING.
- H. 846 RETURN OF RECORDED MAPS.(6/01) H-PASSED 2ND & 3RD READING.
- H. 856 NUKE POWER PLANT INS.. S-REPTD FAV.
- H. 858 PORTS AUTHORITY EARNINGS. H-REPTD FAV.
- #H. 873 SERVICE ON NONRESIDENT MOTORISTS-2. H-REPTD UNFAV.
- #H. 875 DRIVERS-2 CONVICTIONS OVER 55 MPH. H-FAILED 2ND READING.

- H. 900 LEG'VE APPROVAL NON-SPA SALARIES.(5/26, 6/01) S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H. 926 BARBER LAW-PENALTY CHANGE. H-POSTPONED TO JUNE 3.
- H. 933 GRANTOR OMITTED-DEEDS.(5/31) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.
- H. 935 PRIMARY CANDIDATE QUALIFICATIONS.(5/28) S-REC FROM HOUSE; S-REF TO COM ON POLICIES.
- H. 942 EMPLOYMENT SECURITY LAW CHANGES.(5/21, 5/24) S-REC FROM HOUSE; S-REF TO COM ON INTERGOV.
- H. 944 NAME CHANGE-GOOD NEIGHBOR COUNCIL. H-REPTD FAV.
- H. 959 HOSPITAL FACILITIES FINANCE ACT.(5/28, 5/28) S-REC FROM HOUSE; S-REF TO COM ON FINANCE.
- H. 960 BARBER'S FEES. S-REC FROM HOUSE; S-REF TO COM ON FINANCE.
- H. 978 PLUMBING-HEATING CONTRACTORS. H-PASSED 2ND READING.
- H. 984 HANDICAPPED CHILDREN INSTRUCTION. H-PASSED 2ND & 3RD READING.
- H. 986 NC INDIAN AFFAIRS COMM'N. H-REPTD FAV AS AMENDED; H-RE-REF COM ON APPROPN.
- H. 990 CIVIL AIR PATROL LICENSE PLATES.(6/02) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H.1002 TRAFFIC RULES-COMMUNITY COLLEGES. H-REPTD FAV.
- H.1003 CAPITAL SURPLUS-INSUR. CO..(5/28) S-REPTD FAV.
- H.1009 CORRECTING ADMINISTRATORS' TITLES. H-PASSED 2ND & 3RD READING.
- H.1012 (J.RES.) PRIVATE CHILD-CARE FUNDS. H-REPTD FAV.
- H.1015 ELECTION OFFICIALS' PAY. H-PASSED 2ND & 3RD READING.
- H.1018 CUSTODY,SUPPORT SUIT-COUNSEL FEES. H-PASSED 2ND READING.
- H.1020 LICENSE TAXES-CAMPGROUNDS. H-REPTD FAV AS AMENDED.
- H.1021 TAX EXEMPT MINISTER'S RESIDENCE. H-REPTD FAV AS AMENDED.
- H.1050 RESIDENT HUNTING LICENSES. H-REPTD FAV.
- H.1084 LANDLORD-TENANT JURISDICTION. H-REPTD FAV.
- H.1085 CONFORMING STATUTES TO GS 7A. H-REPTD FAV.
- H.1086 (J.RES.) MEMORIALIZING CROUSE. S-REPTD FAV.
- H.1088 COUNTY LANDFILL FUNDS. H-REPTD FAV.

LOCAL BILLS

- S. 467 (ONSLow) SWANSBORO CHARTER REVISION.(6/01) S-PASSED 3RD READING.
- S. 637 (DAVIDSON) THOMASVILLE CITY ELECTIONS. H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.
- S. 647 (BUNCOMBE) ASHEVILLE AG. DEVELOPMENT FUNDS. H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.
- S. 702 (MECKLENBURG) MIXED DRINKS-ELECTION. S-REPTD FAV; S-RE-REF COM ON FINANCE.
- S. 707 (NEW HANOVER) RESTRICT FOX HUNTING. S-REPTD FAV AS AMENDED.
- S. 722 (GASTON) BESSEMER CITY-FIVE GALL. LIMIT. S-REPTD FAV.
- H. 541 (CARTERET, MOORE) GRAVEYARDS-PARKING & LITTERING.(5/21, 6/01) H-REC TO CONCUR IN S AMEND.
- #H. 613 (MECKLENBURG) HUNTERSVILLE TAX PAYMENT DISCOUNT.(5/21) RATIFIED CH. 488.

- H. 660 (HYDE) HUNTING FROM HIGHWAYS. S-REPTD FAV AS AMENDED.
H. 663 (ALAMANCE, ORANGE) COUNTY SCHOOL MERGER. (5/31, 5/31) S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
H. 802 (FORSYTH) STUDENT DUE PROCESS-HEARINGS. (5/26) H-POSTPONED TO JUNE 16.
#H. 854 (MADISON) ABOLISH INDUST. DEV. COMM'N. RATIFIED CH. 490.
H. 857 (FORSYTH) SEDIMENT CONTROL. (5/14, 5/18, 6/01) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
H. 859 (DARE) BEER AND WINE ELECTIONS. S-PASSED 2ND & 3RD READING.
H. 861 (DARE) AIRPORT AUTHORITY. S-PASSED 3RD READING.
#H. 877 (BLADEN) BAIL BONDSMEN. (5/21) RATIFIED CH. 491.
#H. 879 (ROCKINGHAM) MADISON CHALLENGE DAY. (5/21) RATIFIED CH. 492.
H. 880 (DURHAM) DURHAM HOUSING AUTHORITY. (5/28) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
H. 889 (ROCKINGHAM) MADISON ABC PROFITS. S-PASSED 2ND & 3RD READING.
#H. 894 (CUMBERLAND) IDENTIFICATION BUREAU ABOLISHED. RATIFIED CH. 493.
H. 901 (MARTIN) ROBERSONVILLE TOWN LIMITS. S-PASSED 3RD READING.
#H. 907 (BUNCOMBE) ELIADA HOMES CHILDREN. RATIFIED CH. 494.
#H. 915 (WAKE) HOLLY SPRINGS CHARTER CHANGE. RATIFIED CH. 495.
#H. 917 (DUPLIN) EXTENDING AMBULANCE CRIMES LAW. RATIFIED CH. 496.
H. 919 (DURHAM) SPECIAL ASSESSMENTS LAW-DURHAM. (6/01) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
#H. 923 (CHOWAN) EDENTON CHARTER REFERENDUM. (5/21) RATIFIED CH. 497.
#H. 925 (PERQUIMANS) HERTFORD ELECTION LAW. RATIFIED CH. 498.
#H. 930 (MECKLENBURG) CORNELIUS TAX PAYMENT DISCOUNT. (5/21) RATIFIED CH. 499.
H. 937 (PITT) LANDFILL BY EMINENT DOMAIN. S-PASSED 3RD READING.
H. 966 (ANSON) LILESVILLE CHARTER. (5/31) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
H. 972 (ORANGE) JOINT TRANSPORTATION COMMISSION. (5/31) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
H. 987 (DURHAM) DURHAM CITY-COUNTY CHARTER COMM'N. (5/31) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
H. 992 (MONTGOMERY) CANDOR COMM'RS AND MAYOR TERM. (5/31) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
H. 1005 (PAMLICO) INCORPORATING MESIC. (5/31) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
H. 1114 (ONSLOW) BOARD OF EDUCATION REALTY SALE. H-REPTD FAV.

Next Session of House: 11:30 a.m., Thursday, June 3, 1971.

Next Session of Senate: 12 noon, Thursday, June 3, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 102

-909-

THURSDAY, JUNE 3, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 740 Fines-periodic payments
Introducer: Joyner

GS 6
Sent to COURTS

"Giving a court discretionary authority to allow a defendant to pay a fine at designated periodic intervals." Adds GS 6-48.1, providing that when imposing a fine on a defendant a court may direct (1) that entire amount be paid at time of imposition of sentence or (2) that defendant pay a specified portion of fine at periodic intervals, with clerk of superior court to report to court failure to comply with payment schedule. Provides that where defendant is sentenced to a period of probation as well as a fine, payment of fine shall be condition of probation; and that default by defendant on any periodic payment makes entire remaining amount of fine immediately due and GS 6-48 ("Arrest for nonpayment of fine and costs") applicable. Effective October 1, 1971.

S 743 Creating metro water districts
Introducers: Gudger and Crawford

GS 153, 160, 162A
Sent to JUDIC 2

"Establishing metropolitan water districts." Creates Metropolitan Water Districts Act. Permits two or more political subdivisions in county to petition bd. of county comm'rs for creation of metropolitan water district by filing resolution of governing body of each subdivision requesting proposed district; and petition signed by not less than 15% of freeholders residing in any unincorporated area. Provides for notification of State Bd. of Health by county comm'rs and provides for joint State-local hearing on establishing district. Provides that after creating district, comm'rs to appoint three members to district board and governing body of each political subdivision to appoint one member, unless population of one city in excess of total population of remaining cities within district, or where there are no other cities involved and population is in excess of total population of remainder of district, governing body to appoint three members. Provides for district board to elect its officers, and for compensation (not to exceed \$10 per meeting) and reimbursement for expenses. Provides for metro district wholly within corporate limits of two or more municipalities to be governed by board consisting of two members appointed by governing body of each municipality and another member to be appointed by other members of board. Provides that where district created which includes municipality owning existing water and sewer system and where county comm'rs are trustees of separate system, or both which will be included within district along with existing municipal system, district board to be comprised of seven members as follows: three county comm'rs and three members of city council of municipality, the seventh to be appointed by other six and to serve as chairman, whose term is to cease with seating of new board of county comm'rs or new city council, but is eligible for reappointment. Provides for district board to appoint secretary and treasurer (not members of board). Provides for procedure for inclusion of another subdivision in district after establishment of district, including election procedures. Designates all boards as body politic and corporate, exercising essential functions, with powers to acquire, lease, construct and operate water, sewerage systems, except interceptors,



it will become effective Jan. 1, 1973.

LOCAL BILLS INTRODUCED

SENATE

S 741 Reidsville ABC Board
Introducer: Taylor

ROCKINGHAM
Sent to ABC

"To repeal Chapter 616 of the 1967 Session Laws relating to ABC Stores in the City of Reidsville so as to give the ABC Officers county-wide jurisdiction." Repeals cited act (which gave Reidsville ABC officers county-wide jurisdiction) so as to leave ABC Officers with only city-wide jurisdiction.

S 742 Metro water dist.-civil service
Introducers: Gudger and Crawford

BUNCOMBE
Sent to JUDIC 2

"Providing that any employees of the Metropolitan water districts established in Buncombe County be subject to the civil service provisions applicable to the City of Asheville." As title indicates, makes employees of metro water district subject to Ch. 757 of 1953 SL. For bill to establish metropolitan water districts, see S 743 digested in today's Bulletin.

HOUSE

H 1159 Farmville Charter
Introducer: Bundy

PITT
Sent to LOC GOVT

"To amend the Farmville Town Charter regarding elections." (1) Provides polls to close at 6:30 p.m. (now, 6:00 p.m.). (2) Provides local election in which no candidate receives a majority of votes cast, candidate receiving second highest number of votes cast may demand a second election by filing notice with town clerk within 6 days after first Tuesday in May or within 5 days after results of election are confirmed and published, whichever is longest, with run-off election to be held on third Tuesday in May (now, provides notice to be filed within 5 days after first Tuesday in May). (3) Deletes charter provision that no general or special law regulating municipal elections shall be applicable to Farmville.

H 1161 Charlotte air rights over streets
Introducers: Vogler, Beatty, Campbell, Cobb, Foley,
Hicks and Lawing

MECKLENBURG
Sent to LOC GOVT

"To allow the City of Charlotte to release any interest it and the public generally may have in air rights above certain city streets for the purpose of permitting Southern Railway Company and its assigns to build or otherwise erect improvements over and across said streets for private purposes in connection with development of adjoining lands." Authorizes Charlotte governing body to release air rights over described area to permit Southern Railway to erect improvements including pedestrian walkways. Prohibits construction of buildings designed for general occupancy by persons or vehicles at altitude greater than walkway. Areas of access running across E. 4th St. and S. College to be located in manner to be approved by City. Buildings and improvements, ventilation and lighting to be approved by appropriate city department.

H 1162 Statesville realty, utilities sale
Introducer: Huskins

IREDELL
Sent to LOC GOVT

"To amend Chapter 667 of the Session Laws of 1959 as amended by Chapter 775 of the Session Laws of 1965 to subject sale of utility property by the City of Statesville to prior approval of the voters pursuant to G.S. 160-2.6." Permits governing body of City of Statesville, to convey at private sale, to Bd. of Education of Iredell County and Statesville City School Board, surplus realty owned by Statesville. Permits Statesville City Council to sell, purchase or trade power lines and rights of way owned by city or by others; proceeds may be used by city in operation of electrical distribution system. Provides such sale to be subject to approval by majority of qualified voters of city.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 571 Quail propagation and sale-2 (digested in Bulletin No. 84, p. 696; amendment adopted in Senate 5/20/71 digested in Bulletin No. 92, p. 789)
Amendment adopted in House 6/3/71 deletes words "for market" in requirement Wildlife Resources Comm'n "shall provide for adequate safeguards against the trapping of wild quail for market."

S 603 Chemical test refusal revocation-3 (digested in Bulletin No. 86, p. 722)
Amendment adopted in Senate 6/3/71 specifies that license revocation hearing shall cover issue (among others) of whether driver "wilfully" refused to submit to test (adds quoted word).

S 611 No drinking in vehicles (digested in Bulletin No. 87, p. 733)
Amendment adopted in Senate 6/3/71 deletes prohibition against possessing open container of intoxicating liquor in moving motor vehicles.

S 642 N.C. Indian Affairs Comm'n (Identical with H 986, digested in Bulletin No. 91, p. 772)
Amendment adopted in Senate 6/3/71 deletes provision that the Eastern Band of Cherokee have three representatives on Comm'n.

S 702 (Mecklenburg) Mixed drinks-election (digested in Bulletin No. 96, p. 845)
Amendment adopted in Senate 6/3/71 increases size of establishment to be covered by bill to one having 50 seats (originally, 36).

S 707 Restrict fox hunting (digested in Bulletin No. 97, p. 859)
Amendment adopted in Senate 6/3/71 sets effective date as July 1, 1971 (now, upon ratification).

HOUSE BILLS

H 51 Open public meetings (digested in Bulletin No. 7, p. 39; H Committee Substitute digested in Bulletin No. 47, p. 341; House amendments digested in Bulletin No. 50, p. 360 and Bulletin No. 51, p. 367)

Committee Substitute adopted in Senate 6/3/71 proposes new Article 33B of GS 143, "Meetings of Governmental Bodies." Provides all official meetings of governing and governmental bodies of NC and its subdivisions shall be open to public, with every gathering (except social or informal assembly if not to evade spirit of act) of majority of members of such body for purpose of conducting hearings, participating in deliberations or voting upon or otherwise transacting public business to constitute meeting.

Provides that, upon majority vote of members, executive session may be held excluding public while considering (1) acquisition, lease, or alienation of property; (2) labor or personnel negotiations; (3) matters dealing with patients, employees or members of medical staff of hospital or medical clinic; (4) matters within physician-patient or lawyer-client or other privileged relationship; and (5) conferences with legal counsel and deliberations concerning judicial action which involves governmental body. Does not preclude closed meetings considering information regarding appointment, employment, and discipline. Excludes Council of State, Bd. of Awards, NC Bd. of Paroles, State Probation Comm'n, law enforcement agencies, grand and petit juries, research and investigative comm'ns, state agencies exercising quasi-judicial functions during meeting or session held solely to make decision in adjudicatory action, and all boards enumerated in GS 150-9 (licensing boards) and all bodies authorized to investigate, examine and determine character and qualifications of applicants for license to engage in practice of profession, or authorized to suspend or revoke license or take disciplinary action. Excludes meetings of Advisory Budget Comm'n when actually preparing budget. Provides any citizen denied access has right to compel compliance by application to court. Provides that anyone who wilfully interrupts, disturbs, or disrupts official meeting and who, after being asked to leave by presiding officer, wilfully refuses to leave is guilty of misdemeanor punishable by imprisonment up to six months or fine of \$250, or both. Repeals conflicting public and local acts. Effective July 1, 1971.

H 100 Day-care facilities (digested in Bulletin No. 12, p. 77; Committee Substitute digested in Bulletin No. 100, p. 895)

Amendment adopted in House 6/3/71 deletes prohibition (relative to ratios of facilities for 30 or more children) of "with no more than eight children less than two years of age," and adding provision clarifying allowance of 20% tolerance because of absenteeism and withdrawals.

H 294 Drug law revision (digested in Bulletin No. 31, p. 210)

Committee Substitute adopted in House 6/3/71 to delete the "Electronic Surveillance Act" slated for GS Ch. 8 and to rename GS Ch. 90, Art. 5, as the "North Carolina Controlled Substances Act" (originally, "North Carolina Dangerous Drug Act"). Principal changes include: (1) eliminates glue sniffing provisions; (2) reduces first offense of possession of marijuana or tetrahydrocannabinols (active ingredient of marijuana, known as THC) to a misdemeanor with imprisonment up to six months and fine up to \$500 (originally, felony if over certain quantity); (3) eliminates one-year minimum term of imprisonment from the basic punishment (imprisonment up to five years and fine up to \$10,000) for felony first offenses; (4) eliminates requirement of 60-day active jail term before judge may suspend sentence; (5) substitutes N.C. Drug Authority (to be created under H 1076, see Bulletin No. 96, p. 842) for N.C. Dep't of Justice in all administrative (as opposed to enforcement) provisions of act; (6) adds provisions to facilitate treatment of drug dependent persons by making records confidential if person requests treatment, by making medical evaluation an essential first step, and by requiring medical practitioners, hospitals, and drug treatment facilities to submit general statistical reports to N.C. Drug Authority; (7) adds civil and criminal provisions designed to reach drug violators engaged in a continuing criminal enterprise (i.e., getting substantial income or resources from continuing felony drug violations undertaken in concert with five or more others under one's supervision or management), with first offense punishable by imprisonment from ten years to life and a fine up to \$100,000, with subsequent convictions punishable by a minimum term of 20 years of imprisonment and a maximum fine of \$200,000, and with civil provisions for forfeiture of profits of enterprise and of all property and contractual rights relating to the enterprise; (8) deletes marijuana and THC from list of Schedule I controlled substance and places them in new Schedule VI; (9) uses phrase "controlled substance" throughout

act (originally, "controlled dangerous substance"); (10) amends definition of "narcotic drug" to delete a certain opium alkaloid and to add opium poppy, poppy straw, coca leaves, and substances derived from or equivalent to coca leaves, the source of cocaine (although the term "narcotic drug" is little used in the act itself, the definition may serve functions in other areas of the law-e.g., motor vehicle law); (11) adds in Schedule II injectable liquid containing methamphetamine (speed), including its salts, isomers, or salts of isomers, and modifies the basic listing of methamphetamine in Schedule III to conform to the change; (12) amends Schedule III to delete reference to barbituric acid (though retaining derivatives and salts of derivatives of such acid) and to add paregoric in the Schedule (originally, in Schedule V); (13) reduces punishment for possession of Schedule V controlled substances to a misdemeanor punishable by imprisonment up to six months and fine up to \$500 (originally, general misdemeanor) and reduces punishment for second offense of possession to a general misdemeanor (originally, felony); (14) modifies presumption (originally, prima facie evidence) of trafficking to arise from possession of more than 25 (originally, 50) tablets, capsules, or other dosage forms of Schedule III or IV controlled substances; (15) adds presumption of trafficking to arise from possession of more than five grams of marijuana from which the resin has not been extracted or possession of more than one gram of extract or derivatives or THC; (16) adds provision for expungement of criminal record of first offender under age 21 at time of offense relating to Schedule III through VI controlled substances if such offender successfully meets discharge and dismissal conditions imposed upon him at trial; (17) deletes certain provisions relating to records and special invoice forms, but with authority of N.C. Drug Authority (originally, N.C. Dep't of Justice) preserved as to records and inventory requirements; (18) adds provision allowing a restricted oral prescription in emergencies for Schedule II controlled substances; (19) limits power of inspection of prescriptions, order forms, records, and stocks of controlled substances to State and Federal officers with enforcement authority as to controlled substances (originally, right of inspection granted State and Federal officers, and stated that stocks, records, etc., "may be opened for inspection to local law enforcement officers"); (20) omits felony provision relating to growing marijuana or knowingly allowing it to grow on one's land; (21) omits misdemeanor provision punishing unlicensed nonprofessionals who treat, give shelter to, comfort, or propose to treat, give shelter to, or comfort persons using, under the influence of, or experiencing the effects of controlled substances (but leaving in the act the licensing requirements, under the N.C. Drug Authority, for those who hold themselves out to the public as drug treaters); (22) makes other technical and minor changes in the act.

H 548 Child abuse reporting (digested in Bulletin No. 56, p. 402)

Committee Substitute adopted in House 6/3/71 makes following changes:

(1) Modifies definition of "abused child" to exclude impairment of emotional health. (2) Modifies definition of "professional person" to include only specified professionals. (3) Adds definitions of "caretaker," "director," and "protective services." (4) Requires report of child abuse or neglect be made only to director of social services (now, to director and to district judge), who after investigation decides whether to recommend criminal prosecution to district solicitor. (5) Gives "professional person" duty to report to director when suspects abuse; others required to report when they have knowledge of abuse. (6) Rewrites authority of hospital or clinic to assume temporary custody of abused child, to require physician to certify that child should remain for medical reasons or because in his opinion allowing the child to return home is unsafe, and to provide for judicial determination of custody question should parent contest decision. (7) Requires prompt and thorough investigation of abuse complaints (originally, within 24 hours). (8) Makes child abuse a general misdemeanor (originally, felony punishable by 1-60 years). (9) Makes failure to report child abuse a petty misdemeanor punishable by \$50 fine or 30 day imprisonment (originally, general misdemeanor).

H 596 Securities law exemption (digested in Bulletin No. 60, p. 441)

Committee Substitute adopted in House 6/3/71 limits exemption to "limited" partnerships when no compensation is given by purchaser (originally, no restriction on type of partnership or by whom compensation given). Adds additional restriction that corporation or partnership is organized or subscription price refunded within six months after date of subscription. Adds new GS 78-23(g)(1) to provide that one who sells security under claim of exemption permitted by GS 78-3 or 78-4, after having been notified by Sec. of State to cease and desist, is guilty of felony punishable by imprisonment from 1 to 5 years or fined up to \$1,000, or both.

H 660 Hunting from highways-Hyde (digested in Bulletin No. 63, p. 482)

Technical amendment adopted in Senate 6/3/71.

H 977 Prohibiting law practice by banks (digested in Bulletin No. 90, p. 762)

Committee Substitute adopted in House 6/3/71 adds provision clarifying practice of law by corporation, prohibiting corporation authorized to act as fiduciary from (1) drawing wills or trust instruments; (2) giving legal advice or counsel; or (3) advertising, soliciting or offering to do any of these acts. Requires following acts to be performed by licensed attorney, not a salaried employee of corp.: offering wills for probate; preparing and publishing notice of administration to creditors; handling formal court proceedings; drafting legal papers or giving legal advice concerning dissent from wills; resolving questions of domicile; handling proceedings involving year's allowances of widows and children; drafting deeds, notes, etc.; in matters involving taxes, handling protests, except based on clerical errors, and handling petitions to Tax Court; performing legal services in insolvency proceedings before referee in bankruptcy; in connection with administration of estate or trust, making application for letters testamentary, abstracting, or handling litigation and proceedings. Provides for procedures to be followed when corporation performs certain duties (opening and inventory of safe deposit box, furnishing beneficiary applicable portion of will, tax matters, filing inventories and accounts).

H 1018 Custody, support suit-counsel fees (digested in Bulletin No. 93, p. 798)

Amended in House 6/3/71 to allow attorney fees to person or organization having custody in action to modify court order seeking adjustment in support only if adjustment is made and moving party is unable to pay.

H 1020 License taxes-campgrounds (digested in Bulletin No. 93, p. 798)

Amendments adopted in House 6/3/71 making bill applicable only to person, firm or corporation operating for profit, and changing effective date from date ratified to July 1, 1971.

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 64 RETIREMENT OF JUDGES-STAT..(6/02) S=REC TO CONCUR IN H AMEND;
 S=CONCURRED IN H AMEND.
 S. 120 PROPERTY TAX RELIEF TO AGED.(5/31) H=REC FROM SENATE; H=REF
 TO COM ON FINANCE.
 S. 151 REVENUE NOTES-HIGHER EDUCATION. H=PASSED 2ND READING.
 S. 208 BEAR KILLING PENALTY.(4/20) H=REPTD FAV AS AMENDED.
 S. 332 EXCISE STAMP TAX ON CONVEYANCES. S=REPTD FAV AS AMENDED.
 S. 334 WORKMEN'S COMP.-EMPLOYEE DEATH-2.(6/01) H=REC FROM SENATE;
 H=REF TO COM ON MFR LABR.
 S. 382 DISORDERLY CONDUCT.(5/19) H=REPTD FAV.
 S. 489 LICENSING LIVESTOCK DEALERS.(5/24) H=REPTD FAV.
 S. 552 NONPAYMENT INSUR. ADVANCES. S=PASSED 2ND & 3RD READING.
 S. 570 NC SEED LAW REVISIONS. S=PASSED 3RD READING.
 S. 571 QUAIL PROPAGATION AND SALE-2.(5/20, 6/03) H=FLOOR AMEND
 ADOPTED; H=PASSED 2ND READING.
 S. 574 REGULATING UNC UTILITIES. H=POSTPONED TO JUNE 10.
 S. 575 EXTENDING UNC UTILITIES. H=POSTPONED TO JUNE 10.
 S. 576 BONDS FOR UNC UTILITIES. H=POSTPONED TO JUNE 10.
 S. 579 TRANSFER OF RECORDED SOUNDS. S=PLACED ON CAL FOR JUNE 7.
 #S. 603 CHEMICAL TEST REFUSAL REVOCATION.(6/03) S=COM AMEND ADOPTED;
 S=TABLED.
 S. 611 NO DRINKING IN VEHICLES.(6/03) S=COM AMEND ADOPTED; S=PASSED
 2ND & 3RD READING.
 S. 625 LITERARY FUND INTEREST RATE. S=REPTD FAV.
 S. 626 SCHOOL UNIT EMPLOYEE BONDS. S=REPTD FAV.
 S. 627 USE OF LITERARY FUND LOANS. S=REPTD FAV.
 S. 640 INSOLVENT INSURER GUARANTY ASSOC.. S=PASSED 2ND READING.
 S. 642 NC INDIAN AFFAIRS COMM'N.(6/03) S=COM AMENDS ADOPTED; S=RE-REF
 COM ON APPROPN.
 S. 650 DISTRIBUTING HARMFUL FOOD. S=REPTD FAV AS AMENDED; S=PLACED
 ON CAL FOR JUNE 8.
 S. 671 YOUTH COUNCIL APPROPRIATION.(6/03) S=COM AMEND ADOPTED;
 S=RE-REF COM ON APPROPN.
 S. 677 JUVENILE PROBATION OFFICERS-APP.. S=PASSED 3RD READING.
 S. 683 COURTS COMM'N MEMBERS-TERMS. S=REPTD FAV.
 S. 686 SECOND DISMISSAL FROM SCHOOL. S=REPTD FAV.
 #S. 694 MAGISTRATE COURT COSTS. S=REPTD UNFAV.
 S. 697 MOTORCYCLE RIDERS EYE PROTECT.. S=PLACED ON CAL FOR JUNE 7.
 S. 698 CHARITABLE GROUPS TAX EXEMPTION. S=REPTD FAV AS AMENDED.

- S. 699 PILOTS ASSOCIATION PENSION FUND. H-REC FROM SENATE; H-REF TO COM ON ST PERS.
- S. 701 CAPE FEAR RIVER PILOT FEES. H-REC FROM SENATE; H-REF TO COM ON ST PERS.
- S. 705 ACCIDENT CASE FILES TERMINATION. S-PASSED 2ND & 3RD READING.
- S. 712 LICENSE PLATES-CITIZENS RADIO. S-PASSED 2ND & 3RD READING.
- S. 716 INDIGENT'S WAIVER OF COUNSEL. S-REPTD FAV.
- H. 51 OPEN PUBLIC MEETINGS.(3/18, 3/23, 3/24, 6/03) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED; S-PLACED ON CAL FOR JUNE 8.
- #H. 89 RETIREMENT OF JUDGES-STAT.. H-POSTPONED INDEF.
- H. 91 INDECENT EXPOSURE ACT.(5/24, 6/01) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
- H. 100 DAY-CARE FACILITIES-2.(6/01, 6/03) H-FLOOR AMEND ADOPTED; S-PASSED 2ND READING; H-PLACED ON CAL FOR JUNE 8.
- H. 156 RETAIL INSTALLMENT SALES ACT.(5/27, 6/01) S-REC FROM HOUSE; S-REF TO COM ON BANKING.
- H. 171 BAIL-DENIED FOR FELONS ON BAIL. H-REPTD UNFAV; H-REMOVED FROM UNFAV CAL; H-RE-REF COM ON JUDIC 1.
- H. 248 DISCOVERY OF DEBTOR'S ASSETS.(5/13) S-REPTD FAV.
- H. 283 NARCOTIC DRUGS-VEHICLE CODE.(4/20, 5/05, 5/07, 5/10) S-REPTD FAV.
- H. 294 DRUG LAW REVISION.(6/03) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 347 ABOLISHMENT OF CORONER.(3/26, 4/07, 4/30, 4/30) S-REPTD FAV AS AMENDED.
- H. 478 PAY FOR SCHOOL-INJURED TEACHER.(6/01) S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
- H. 548 CHILD ABUSE REPORTING.(6/03) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 596 SECURITIES LAW EXEMPTION.(6/03) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 687 REPEALING CHARTERS-INACTIVE TOWNS.(5/26, 5/26, 6/02) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 727 NO LOITERING AT POLLS.(4/30, 5/13) S-PLACED ON CAL FOR JUNE 4.
- H. 747 ASSAULT LAW REWRITE-2. S-REPTD FAV AS AMENDED.
- H. 752 DEAD DOMESTIC ANIMALS DISPOSITION. H-REPTD FAV AS AMENDED.
- H. 756 N.C. EMPLOYEE IN-SERVICE TRAINING.(5/27) S-REPTD FAV.
- #H. 773 WORKMEN'S COMP. APPEALS EXPENSE.(4/29) RATIFIED CH. 500.
- H. 790 AID TO PRIVATE COLLEGES.(5/12, 5/18) S-RE-REF COM ON APPROPN.
- H. 811 STUDY COMM'N, UNC UTILITIES. H-POSTPONED TO JUNE 10.
- H. 818 REGULATING UNC UTILITIES. H-POSTPONED TO JUNE 10.
- H. 819 BONDS FOR UNC UTILITIES. H-POSTPONED TO JUNE 10.
- H. 820 EXTENDING UNC UTILITIES. H-POSTPONED TO JUNE 10.
- H. 837 (J.RES.) MEMORIALIZING B.G. PARKER, JR.. S-PASSED 2ND & 3RD READING.
- H. 845 RECORDED INSTRUMENTS, QUALITY. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.

- H. 846 RETURN OF RECORDED MAPS.(6/01) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
- H. 856 NUKE POWER PLANT INS.. S-PASSED 2ND & 3RD READING.
- H. 870 HOME HEALTH AGENCIES. S-REPTD FAV.
- H. 890 PHYSICIANS' ASS'TS REGISTRATION. H-REPTD FAV AS AMENDED.
- H. 913 NURSE PRACTICE ACT FEES. S-REPTD FAV.
- H. 977 PROHIBITING LAW PRACTICE BY BANKS.(6/03) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 978 PLUMBING-HEATING CONTRACTORS. H-PASSED 3RD READING.
- H. 984 HANDICAPPED CHILDREN INSTRUCTION. S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
- H. 990 CIVIL AIR PATROL LICENSE PLATES.(6/02) S-REC FROM HOUSE; S-REF TO COM ON ROADS.
- #H. 995 UNIFORM WATER WELL CONTRACTOR LAW. H-REPTD UNFAV.
- H.1003 CAPITAL SURPLUS-INSUR. CO..(5/28) S-PLACED ON CAL FOR JUNE 4.
- H.1009 CORRECTING ADMINISTRATORS' TITLES. S-REC FROM HOUSE; S-REF TO COM ON ST GOVT.
- H.1015 ELECTION OFFICIALS' PAY. S-REC FROM HOUSE; S-REF TO COM ON POLICIES.
- H.1018 CUSTODY,SUPPORT SUIT-COUNSEL FEES.(6/03) H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING.
- H.1020 LICENSE TAXES-CAMPGROUNDS.(6/03) H-COM AMENDS ADOPTED; H-PASSED 2ND READING.
- H.1035 METHOD OF MARKING BALLOTS. H-REPTD FAV.
- H.1042 DENTISTRY LAW REVISION. H-REPTD FAV AS AMENDED.
- H.1043 DENTAL HYGIENE LAW REVISION. H-REPTD FAV AS AMENDED.
- H.1050 RESIDENT HUNTING LICENSES. H-POSTPONED TO JUNE 7.
- H.1060 EVIDENCE IN BOAT ACCIDENT CASES. H-REPTD FAV AS AMENDED.
- H.1073 CORRECTING GS 1A-1,RULE 55C. H-REPTD FAV.
- H.1076 CREATING DRUG AUTHORITY. H-REPTD FAV AS AMENDED.
- H.1086 (J.RES.) MEMORIALIZING CROUSE. S-PASSED 2ND & 3RD READING.
- H.1088 COUNTY LANDFILL FUNDS. H-PASSED 2ND READING.
- H.1109 POULTRY PRODUCTS INSPECTION ACT. H-REPTD FAV.
- H.1123 MOVING LIVE POULTRY AND LIVESTOCK. H-REPTD FAV.
- H.1164 (H.RES.) NO COURTESIES,SHOW TIME.(6/03) H-ADOPTED.

LOCAL BILLS

- S. 442 (SURRY) SCHOOL BOND ELECTION.(5/20) H-REPTD FAV.
- S. 467 (ONslow) SWANSBORO CHARTER REVISION.(6/01) H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.
- S. 616 (CUMBERLAND) CITY-COUNTY SCHOOL BOARD. S-REPTD FAV.
- S. 629 (HALIFAX) COUNTY LAW OFFICERS FUND. H-REPTD FAV.
- S. 702 (MECKLENBURG) MIXED DRINKS-ELECTION.(6/03) S-REPTD FAV; S-FLOOR AMEND ADOPTED; S-FLOOR AMEND FAILED; S-PASSED 2ND READING.
- S. 707 (NEW HANOVER) RESTRICT FOX HUNTING.(6/03) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- S. 717 (R CHMOND) SALES TAX PROCEEDS. S-REPTD FAV.
- S. 722 (GASTON) BESSEMER CITY-FIVE GALL. LIMIT. S-PASSED 2ND & 3RD READING.

- S. 737 (DAVIE) AMENDING SL 1971, CH. 399. S-REPTD FAV.
- H. 541 (CARTERET, MOORE) GRAVEYARDS-PARKING & LITTERING. (5/21, 6/01)
H-CONCURRED IN S AMENDS.
- H. 660 (HYDE) HUNTING FROM HIGHWAYS. (6/03) S-COM AMEND ADOPTED;
S-PASSED 2ND & 3RD READING.
- H. 661 (LENOIR) KENNEL TAX. H-REPTD FAV; H-RE-REF COM ON LOC GOVT.
- H. 666 (GUILFORD) GREENSBORO HOUSING AUTH. MEMBERSHIP. H-REPTD FAV.
- H. 681 (MOORE) HUNTING FROM HIGHWAYS. H-REPTD FAV.
- #H. 787 (PITT) GREENVILLE MAYOR RUN-OFF. H-REPTD UNFAV.
- H. 823 (MECKLENBURG) PURCHASE PREFAB SCHOOLS. H-REPTD FAV AS
AMENDED.
- H. 844 (HALIFAX) BD. OF EDUC. ELECTION. (5/20) S-REPTD FAV.
- #H. 857 (FORSYTH) SEDIMENT CONTROL. (5/14, 5/18, 6/01) RATIFIED CH.
501.
- #H. 859 (DARE) BEER AND WINE ELECTIONS. RATIFIED CH. 502.
- #H. 861 (DARE) AIRPORT AUTHORITY. RATIFIED CH. 503.
- #H. 889 (ROCKINGHAM) MADISON ABC PROFITS. RATIFIED CH. 504.
- #H. 901 (MARTIN) ROBERSONVILLE TOWN LIMITS. RATIFIED CH. 505.
- #H. 919 (DURHAM) SPECIAL ASSESSMENTS LAW-DURHAM. (6/01) RATIFIED CH.
506.
- #H. 937 (PITT) LANDFILL BY EMINENT DOMAIN. RATIFIED CH. 507.
- H. 955 (JOHNSTON) BENSON CHARTER REVISION. H-REPTD FAV AS AMENDED.
- H. 1006 (BLADEN) WHITE LAKE TOWN BOUNDARIES. H-REPTD FAV.
- H. 1013 (WASHINGTON) COUNTY SCHOOL BOARD. S-REPTD FAV.
- H. 1031 (WILSON) WILSON SCHOOL BD. ELECTION. S-REPTD FAV.
- H. 1040 (GRANVILLE) OXFORD COMPENSATION AUTHORITY. H-REPTD FAV.
- H. 1047 (GASTON) CHERRYVILLE FIREMEN RETIREM'T. H-REPTD FAV AS
AMENDED.
- H. 1053 (CLEVELAND, POLK, RUTHERFORD) LEGALIZED BINGO. H-REPTD FAV.
- H. 1065 (CARTERET) SHERIFF'S SUCCESSOR. H-REPTD FAV.
- H. 1068 (JOHNSTON) DISTRIBUTION OF ABC FUNDS. H-REPTD FAV.
- H. 1074 (CLEVELAND) SHELBY FILING FEES. H-REPTD FAV.
- H. 1079 (ALAMANCE) BURLINGTON PROPERTY SALES. H-REPTD FAV.
- H. 1092 (GRAHAM) CHAIRMAN OF BD. OF COMM'RS-SALARY. H-REPTD FAV.
- H. 1093 (GATES) GATESVILLE TOWN LIMITS. H-REPTD FAV.
- H. 1100 (MECKLENBURG) NUMBER OF HOSPITAL COMMISSIONERS. H-REPTD FAV.
- H. 1107 (GRAHAM) TRANSFER OF SURPLUS FUNDS. H-REPTD FAV.
- H. 1108 (CHEROKEE) MURPHY TOWN LIMITS. H-REPTD FAV AS AMENDED.
- H. 1114 (ONslow) BOARD OF EDUCATION REALTY SALE. H-PASSED 2ND & 3RD
READING.
- H. 1119 (RICHMOND) HAMLET ABC FUNDS. H-REPTD FAV.
- H. 1120 (RICHMOND) ROCKINGHAM ABC FUNDS. H-REPTD FAV.
- H. 1126 (DURHAM) DURHAM FIREMEN RETIREMENT. H-REPTD FAV.
- H. 1152 (ALAMANCE) BURLINGTON SCHOOL BD. PROPERTY. H-REPTD FAV.
- H. 1153 (ROCKINGHAM) SCHOOL MERGER ELECTION. H-REPTD FAV.

Next Session of House: 9:30 a.m., Friday, June 4, 1971.

Next Session of Senate: 10:00 a.m., Friday, June 4, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
P. O. BOX 7294, RALEIGH, N. C.
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829-7677

BULLETIN NO. 103

-921-

FRIDAY, JUNE 4, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 744 (Joint Resolution) Opposing closing U.S. 441
Introducer: Crawford

MISC RES
Sent to ROADS

"Opposing the closing of U.S. Highway 441 through the Great Smoky Mountains National Park." As title indicates.

S 745 Economics teaching funds
Introducer: McGeachy

APPROPRIATION
Sent to APPROPN

"To appropriate seventy-four thousand dollars to the State Board of Education, Division of Social Studies for the implementation of the recommendations of a study mandated by the 1969 General Assembly." Appropriates \$37,000 for each year of 1971-73 biennium out of General Fund to State Bd. Educ., Dep't Public Instruction, Div. of Social Studies for operation and training in programs of in-service education to social studies teachers so they will be properly prepared to instruct and conduct courses in economics and the free enterprise system pursuant to study completed by State Bd. Educ. as directed by SL 1969, Ch. 1230. Effective July 1, 1971.

S 746 Next friend costs
Introducer: Bailey

GS 7A
Sent to COURTS

"To delete obsolete language from various other sections of Chapter 7A." Deletes "next friends" as recoverable expenses in addition to uniform costs under GS 7A-305(d)(7), 7A-306(c)(5) and 7A-307(c)(5) (civil actions, special proceedings, and estates). Deletes "verification" from Form 4, GS 7A-232 (complaint on promissory note). Effective October 1, 1971.

S 747 Junk removal (Iden. H 1173)
Introducer: Deane

GS 136
Sent to ROADS

"To provide for the removal of abandoned and unused structures, signs and junk from property adjacent to public highways." Identical with H 1173, digested in the House section of today's Bulletin.

S 748 License auto damage appraisers
Introducer: Strickland

GS 58, 105
Sent to JUDIC 1

"To amend Chapter 58 and Chapter 105 of the General Statutes relating to the licensing and regulation of motor vehicle damage appraisers." Amends GS 58-9(1), adding motor vehicle damage appraisers to those governed by rules and regulations issued by Insur. Comm'r to prevent practices injurious to public. Adds GS 58-39.4(o) to define motor vehicle damage appraiser and renumbers following sections accordingly. Amends



GS 58-40 to require every motor vehicle damage appraiser to obtain annually from Insur. Comm'r license under seal of his office showing he is duly authorized to act as such, and requiring such appraiser to exhibit his license on demand to any officer or person with whom he deals as an appraiser. Adds new GS 58-40.6 setting forth minimum qualifications needed before Insur. Comm'r may issue mv damage appraiser license. Adds mv damage appraiser to coverage of GS 58-42 specifying license revocation procedure, and amends GS 58-51.2 to provide for licensing of non-resident appraisers. Amends GS 58-52 and 52.1 (penalties for unlicensed activities, etc., and service of process provisions) to include mv damage appraisers. Amends GS 105-228.7 to require \$25 fee for mv damage appraiser license. Effective April 1, 1972.

S 750 Advertising sale of subdivision (Iden. H 1111) GS 147, 153, 160
 Introducer: Horton Sent to JUDIC 1

"Providing for the regulation of advertising, sale or exchange in this State of certain real estate subdivisions." Identical with H 1111, digested in Bulletin No. 97, p. 858.

HOUSE

H 1169 Repealing gov't vehicle exemption GS 62
 Introducers: High and Raynor Sent to PUB UTIL

"To repeal the exemption of governmental vehicles in motor carrier regulation."
Repeals GS 62-260(a)(1) exempting Federal, State and local governmental vehicles from motor carrier regulations under GS Chapter 62.

H 1170 License plate commission fee APPROPRIATION, GS 20
 Introducer: High Sent to APPROPN

"To increase the compensation the Department of Motor Vehicles pays for license plates." Amends GS 20-63(h) by increasing fee paid by Dep't of Motor Veh. for license plates issued outside Raleigh through commission contracts to 33¢ per plate (now 27¢). Effective July 1, 1971.

H 1171 Public school evaluation STUDY, APPROPRIATION, GS 115
 Introducer: Tart Sent to EDUCATN

"To establish a statewide program of assessment and guidance of public elementary and secondary education." Directs State Bd. of Educ. in cooperation with Bd. Higher Ed. to develop or cause to be developed no later than July 1, 1973 an evaluation and assessment system on elementary and secondary school system in NC. Information is to include subjects such as student attitudes and aptitudes, goal identification, special programs, vocational choices, dropout problems, etc. Requires Bd. of Educ. to report findings to Governor and Advisory Budget Comm'n containing: (1) objective assessments of strengths and weaknesses of public school system; (2) ways information is being used for evaluation, planning and accountability; (3) ways information is being developed for guidance of youth and adults into post high school education or occupations; and (4) plans for effectively continuing and using the Assessment and Guidance System in future. Appropriates from General Fund to State Bd. Educ. \$678,000 to implement act, \$25,000 to be used by Bd. Higher Ed. for its report.

H 1172 Education expense grants GS 115
 Introducer: Tart Sent to EDUCATN

"To provide State funds for the education of exceptional children in private or out-of-state educational facilities when appropriate education is not available in

the public schools." Adds new Art. 38B to GS Ch. 115 to provide for educational expense grants to "exceptional child," defined as seriously emotionally disturbed, learning disabled, visually and/or hearing handicapped or impaired, multiple handicapped, mentally retarded, crippled or other health impaired, and exceptionally gifted or talented child. Provides every exceptional child residing in State who is eligible to attend public school may apply for education expense grant through his parent or guardian, to local bd. of educ. of adm've unit in which child resides, grant to cover cost of tuition in private or out-of-state educational facility, not to exceed \$1,200 per year per child. Authorizes State Bd. Educ. to receive funds for program and to establish and administer grant procedure.

H 1173 Junk removal (Iden. S 747)
Introducer: R. Brown

GS 136
Sent to JUDIC 1

"To provide for the removal of abandoned and unused structures, signs and junk from property adjacent to public highways." Adds new Art. 14 to GS 136, entitles "Removal of Abandoned and Unused Structures, Signs and Junk." Defined "junk" (discarded materials, junk vehicles, etc.), "sign" (dilapidated billboards, etc.) and "structure" (dilapidated shacks, etc.). Authorizes Division Engineer of State Highway Comm'n, or designee, to enter upon lands, public or private, for purpose of removing abandoned structure, sign or junk objects that are "otherwise unhealthful and unsafe" located within 100 feet of right of way of road or highway outside incorporated municipality. Requires Division Engineer to complete not later than April 30 each year a survey of roads and highways to locate such structures, etc. Requires reasonable diligence to locate owner and contains provision for notification. Provides no structure to be removed unless (1) notice is sent by certified or registered mail to owner, if known, and if owner cannot be reasonably ascertained, then requires posting of map in courthouse; (2) notice to describe object and location and to state object to be removed at no expense to owner unless owner's notice of objection is returned to Engineer within 30 days from receipt of notice; (3) notice to state, if reason for removal is unsafe or unhealthy condition, that purpose is to minimize present or potential danger, specifying reasons; (4) owner permitted to return notice of objection to Engineer to effect he has not abandoned object or he objects to its removal, within 30 days of receipt of notice, or within 60 days of first posting at courthouse. Requires Engineer to hold hearing within 30 days of notice of objection on question of threat to public safety or health. Provides for appeal pursuant to GS Ch. 143, Art. 33 with no action to remove to be taken until final determination. Provides for objects removed to be disposed of in manner approved by Bd. of Health, cost to be borne by Hy. Comm'n.

H 1174 Martin County-hunting on highways
Introducer: Everett

GS 113
Sent to WILDLIFE

"To prohibit the taking of game from certain public highways in Martin County." Makes it unlawful to hunt, take or kill any species of birds, animals or beasts or attempt to hunt, take or kill birds, animals or beasts by the use of firearms from roadway or right-of-way of public highways, or to discharge firearm on or across public highway in Martin County, with \$50/30 days penalty. Directs all peace officers of county and State, including wildlife game protectors, to enforce act.

H 1175 Highway Patrol award
Introducer: Fenner

GS 20
Sent to HY SAFTY

"To amend G.S. 20-187.1 pertaining to awards to members of the North Carolina State Highway Patrol." Rewrites GS 20-187.1(b) to provide for only one award, the NC State Highway Patrol Award of Honor, and eliminating other awards now specified in GS 20-187.1(b)(2), (3), and (4) (award for valor, award of merit, and award for distinguished service).

H 1176 School assignment restrictions
Introducer: Cobb

GS 115
Sent to EDUCATN

"To prohibit the assignment of students to schools requiring transportation when the time or distance of travel is so great as to risk either the health of the children or significantly impinge on their educational process." Adds new Art. 21A to GS Ch. 115 regulating "Transportation of School Children." Permits any parent or guardian of child enrolled in public school to apply to Bd. Educ. of unit in which child is enrolled for reassignment of child on grounds time or distance of travel to school is so great as to risk either health of child or significantly impinge on his educational process. Requires Bd. to hold hearing on application within ten days of receipt thereof and reassign child to school which will not require such transportation if Bd. finds present distance or travel time too great. Upon denial of application by Bd., provides parent or guardian may petition District Court for order directing Bd. to reassign child and requires petition be granted hearing de novo before District Court Judge and permits determination of facts before jury as in all other civil cases. Sets forth evidence to be considered in hearing by Bd., judge or jury: age of child, general health of child, distance of travel, time of travel, and availability of schools closer to home of child. Provides requirement that child enrolled in elementary school travel more than seven miles or longer than 35 minutes creates rebuttable presumption that travel is so great as to risk either health of impinge educational process. (For junior high school or high school student rebuttable presumption operates if distance more than fifteen miles or longer than one hour.) Stipulates no inference created if travel time or distance less than above.

H 1177 Statewide numbered Assembly Seats
Introducer: Barbee

GS 163, 120
Sent to ELECTION

"To provide numbered seats for the North Carolina General Assembly statewide." Provides that GS 163-117 (requiring that all seats for multi-member districts be numbered) shall be statewide, and to that end, Sections 4 and 5 of SL 1967, Ch. 1063 and SL 1969, Ch. 302 are repealed. (The two cited acts as amended exempt the following Senate districts from the numbered seats requirement: 8, 11, 12, 14, 18, 22, 23, 26, and 31; and exempt the following House seats: 13, 17, 19, 20, 23, 24, 26, 27, 30, 31, 34, 35, 36, 38, 39, 40, 42, & 47).

H 1178 Absentee voting changes
Introducer: Gentry

GS 163
Sent to ELECTION

"To make certain changes in the absentee voting laws to simplify procedures." Amends GS 163-227(1) to provide that, for absentee ballot for those absent from county on election day, applicant is to sign application personally. Provides for application to be transmitted to chairman or executive secretary (now must be chairman) of county board of elections. (Deletes requirement for application to be sworn and certified.) Makes same changes in GS 163-227(2), concerning absentee ballots for sickness or disability. Permits chairman to deliver application to voter's spouse upon proper request. Makes other conforming changes.

H 1179 Higher Ed. Board-Const. Amdt.
Introducer: Davis

CONSTITUTION, GS 116
Sent to HIGHR ED

"To amend Article IX of the North Carolina Constitution so as to provide for composition, powers and duties of State Board of Higher Education." Amends Art. IX of NC Constitution as adopted Nov. 3, 1970 by inserting new section 9 requiring State Board of Higher Education to consist of Governor, Chairmen of Committees on Higher Ed. in Senate and House, and twenty members selected as provided by General Assembly for overlapping 8-yr. terms. Authorizes Board to supervise and administer public system of higher education and be responsible for submitting proposed budgets for the system to General Assembly. Requires amendment be submitted to qualified voters in State at general

election in November 1972, and if approved, it shall take effect January 1, 1973. Effective July 15, 1971.

H 1180 Restrict single shot-statewide
Introducer: Volger

GS 163
Sent to ELECTION

"To amend Chapter 163 of the General Statutes so as to require a voter to vote for a majority of candidates when there are three or more positions to be filled in an office." Adds new GS 163-151(1)(e) providing that in any primary or election held in the State for nomination or election of candidates, if there are three or more positions to be filled in a single office, voter shall vote for at least the number of candidates equal to a majority of positions to be filled. Repeals GS 163-151(2)d and (3)b, and 163-170(8) (listing counties and municipalities in which single-shot requirement now applies to certain primaries and/or elections). Rewrites GS 163-170(7) to apply statewide so that if voter fails to adhere to above instructions his ballot shall not be counted for any candidate for positions to be filled in that office, but shall be counted for all other offices which are properly marked.

H 1181 Const'l limit-incorp. cities
Introducer: Warlick

CONSTITUTION, GS 160
Sent to CONSTITUTN

"To amend the Constitution of North Carolina to limit the incorporation of cities and towns." Amends Sec. 1 of Art. VII of NC Constitution to prohibit General Assembly from incorporating any area within one mile of corporate limits of another city having population of 5,000, within three miles of corporate limits of another city having population of 10,000, within four miles of corporate limits of another city having population of 25,000, or within five miles of corporate limits of another city having population of 50,000 or more. Provides for submission of amendment to voters of NC at next general election and sets out procedure for such election. Provides that, if amendment approved, Governor to certify it to Sec. of State, who shall enroll it, and amendment to be effective Jan. 1, 1973.

H 1183 Personalized checks for fines
Introducers: Harris and others

GS 7A
Sent to COURTS

"To amend G.S. 7A-103 to authorize Clerks of Court to accept personalized checks in payment of traffic fines with no liability to clerk." Adds new GS 7A-103(17) authorizing clerk to accept personalized checks from NC residents for cost and fines not in excess of \$100 without incurring liability for loss due to such acceptance. Provides if check returned by bank for insufficient funds, clerk shall proceed to recover amount then owing in accord with applicable criminal and civil law. Clerk not civilly liable for instituting any criminal action under section.

H 1184 Drunk drivers-clinic
Introducer: Kemp

GS 20
Sent to HY SAFTY

"To allow persons convicted of drunk driving to receive and hold limited driving privileges only upon enrollment in and satisfactory completion of a safe-drivers clinic." Adds to GS 20-179(b)(1) provision that no limited driving privilege be granted until person convicted makes application in writing for enrollment in a driver improvement clinic operated by Dep't of Motor Vehicles. Requires application be submitted to Dep't by court along with operator's or chauffeur's license, and if license holder fails to satisfactorily complete such clinic within 60 days, any judge presiding over court of conviction, upon notification, shall revoke limited driving privilege.

H 1185 Blood bank restriction
Introducers: Whichard and others

GS 90
Sent to HEALTH

"Relating to the selection of blood donors and the collection, storage, processing and transfusion of blood." Adds new Art. 15B to GS Ch. 90 making it unlawful for any person, firm or corporation to engage in selection of blood donors or in collection, storage, processing, or transfusion of human blood except at direction or under supervision of a physician licensed to practice medicine in NC. Makes violation a misdemeanor. Prescribes that in selection of donors, due care be exercised to minimize risks of transmission of agents that may cause hepatitis or other diseases. Provides above shall not affect GS 20-16.2 and 20-139.1 (chemical tests for drunk driving).

LOCAL BILLS INTRODUCED

SENATE

S 749 Roanoke Rapids city limits
Introducer: Allsbrook

HALIFAX
Sent to JUDIC 1

"Enlarging the corporate limits of the City of Roanoke Rapids subject to an election." Provides for enlarging city limits of Roanoke Rapids by including described area, subject to vote. Provides for Halifax Co. Bd. of Elections to conduct special election, with qualified voters in described area and voters presently within city of Roanoke Rapids eligible to vote. If majority of total votes favor enlargement, then, effective date to be Jan. 1, 1972.

HOUSE

H 1182 Wine sale restrictions
Introducer: Rogers

VANCE
Sent to ABC

"To authorize the Board of Alcoholic Control of Vance County to restrict the sale of wine to ABC stores." As title indicates, authorizes Vance ABC Bd. to adopt resolution restricting sale of wine to ABC stores exclusively within the area over which it has jurisdiction. Requires copy of such resolution be sent to State ABC Bd. and Comm'r of Revenue, and thereafter no licenses or permits to be issued for sale of wine within area under jurisdiction of County ABC Board.

H 1186 Tax collector
Introducer: Warlick

CATAWBA
Sent to LOC GOVT

"To repeal Chapter 148 of the Public-Local Laws of 1933 relating to the office of Tax Collector in Catawba County." Repeals cited Act, which designated County Accountant as Tax Collector in Catawba.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 332 Excise stamp tax conveyances (digested in Bulletin No. 52, p. 373)
Amendments adopted in Senate 6/4/71 providing (1) that article to apply to any person, firm, etc., including national banking associations and federally chartered Savings and Loan Associations, but not to governmental units unless expressly provided in section (originally provided that banks, banking institutions, and savings and loan institutions not to be considered governmental units), and (2) adding new section amending GS 105-228.32 to provide that register of deeds may require party to accompany instrument for registration with affidavit showing true value of consideration, in which

case register to see that correct amount of stamps is affixed to instrument before recording it.

S 599 Telegraph arrests-warrants (digested in Bulletin No. 86, p. 720)

Committee Substitute adopted in Senate 6/4/71 rewrites original bill to add new GS 15-41(3) providing when officer possesses copy of warrant or abstract thereof which may be sent by telegraph, teletype, or computer, he may proceed in same manner as though he held original warrant issued by court. Requires warrant abstract contain: name of person charged, date and nature of offense, name of issuing official, identification of originating agency and case number and sufficient descriptive data for identification of person charged. Requires original warrant be served on person arrested within 12 hours after arrest unless person voluntarily waives in writing such service.

S 609 International Cooperation Comm'n (digested in Bulletin No. 87, p. 733; amendment digested in Bulletin No. 98, p. 876)

Amendment adopted in House 6/4/71 requires three Comm'n members be appointed by President of Senate, three by Speaker of House, and five by Governor (originally, all eleven appointed by Governor).

HOUSE BILLS

H 153 Municipal law revision (digested in Bulletin No. 18, p. 115)

Committee Substitute adopted in House 6/4/71 deletes reference to "Dillon's Rule." Permits city council to reapportion to consider area excluded from (originally, only annexed to) city. Deletes provision providing for council to fix or approve salaries and allowances of all city officers and employees. Requires legislative sessions of council (originally all council meetings) to be open to public. Provides affirmative vote equal to majority of all members of council not excused from voting to be required to adopt ordinance, take any action having effect of ordinance, authorize expenditure of public funds, or authorize a contract (originally, vote of majority of membership required to "transact business"). Provides no ordinance to be finally adopted on date on which it is introduced except by 2/3 vote. Permits copies of ordinances to be reproduced by any method giving legible and permanent copies. Deletes reference in Part 4, GS 160A-101 to alternatives for nonpartisan primary and nonpartisan election and runoff. Permits retirement plans to be certified to be actuarially sound by qualified actuary (originally, offered by company regulated by Comm'r of Insurance). Permits two or more counties, cities and sanitary districts to enter into contracts for joint ownership and operation of waste collection and disposal systems. Provides that in order to make uniform law concerning assessments against railroads, all provisions of law in conflict are repealed; and no local act taking effect on or after July 1, 1971 to be construed to amend, unless it does so specifically. Permits acquisition by eminent domain by procedures of Art. 2, GS Ch. 40 or by any other law applicable to city. Permits acquisition by eminent domain of land owned by public service corp., only if it will not prevent or unreasonably impair continued devotion to public use of such property. Permits private negotiation for exchange of facilities of city-owned enterprise for like facilities located within or outside corporate limits. Permits city to lease city-owned public service enterprise for period longer than 10 years. Contains detailed rewrite of provision dealing with power of city over railroad crossings. Permits city official or employee (in addition to council) to declare junked or abandoned cars health or safety hazard, thereby leading to their removal. Deletes provision relating to joint enterprises. Permits city zoning ordinance to be effective outside city limits where city and county have so agreed, and provides nothing to repeal, modify or amend any local act which defines boundaries of city's extraterritorial jurisdiction by metes and bounds or courses and distances. Permits charter to confer on regional council enumerated

powers (originally, regional council had powers unless charter or bylaws expressly provides otherwise). Permits regional council to apply for governmental funds, grants, and services (originally permitted to accept, receive, and disburse only). Adds savings clauses on vested rights and pending proceeds; adds severability clause.

Adds new Article 6 dealing with elections. Provides election generally to be conducted under GS 163, or city charter. Permits State Bd. of Elections to issue rules concerning city elections. Provides city elections to be nonpartisan unless otherwise provided in charter. Provides for election to be biennially on Tuesday after first Monday in May, beginning in 1973. Provides for city board of elections to be appointed by council, provided in city with population less than 5,000 council may act as board of elections. Provides for registration of voters, notice of election and notice of candidacy and filing fees. Provides that when subdivision submitted for approval, in which school site should be reserved, council to notify board of education and consult with board. Provides that before final approval of subdivision, board of education to determine whether it desires school site, and if so, gives board 18 months to acquire site.

H 418 Aeronautics revision (digested in Bulletin No. 42, p. 303)

Committee Substitute adopted in House 6/4/71 makes owner or any person engaged in operation of aircraft liable in damages for negligence occasioned by operation of such aircraft if in accordance with tort law of NC (originally, owner not included). Adds rebuttable presumption that pilot-in-command is occupant of seat recommended for pilot by the manufacturer of a rotary winged aircraft when aircraft is flown solo. Creates rebuttable presumption (originally, presumption) that person occupying "pilot-in-command" seat was operating aircraft at time of crash if occupants and their positions cannot be established otherwise. Makes effective date Sept. 1, 1971 (originally, effective on ratification).

H 630 Mass gatherings-regulations (digested in Bulletin No. 62, p. 465)

Committee Substitute adopted in House 6/4/71 deletes all references to rock festivals and replaces with "mass gathering," defined as any congregation or assembly (organized or held for any purpose) of more than 5,000 people in open space or open air for continuous period of at least 24 hours. Requires application for permit be made by organizer or sponsor (deletes references to promoters and permits required 15 days before advertising may begin) but need not state purpose or reason for gathering as originally required for rock festival, and deletes requirement for detailed plans for parking facilities, and statement that gathering will be held exclusively on property rented, leased, purchased, or otherwise legally arranged for by applicant. Authorizes State Health Director (if he deems it necessary) to require performance bond or other surety to be executed to State in amount of \$5,000 for up to 10,000 persons and \$1,000 additional for each additional 5,000 persons or fraction thereof reasonably estimated to attend mass gathering. (Originally, \$25,000 bond required and \$5,000 for each additional 5,000 persons.) Deletes specific requirements in bill for facilities and services necessary and directs State Bd. of Health to develop and adopt rules and regulations to carry out Article's provisions covering areas regulated in original bill. Adds provision stating nothing in Article limits authority of counties to adopt ordinances under GS 153-9(55) regulating mass gatherings of less than 5,000 persons.

H 752 Dead domestic animals disposition (digested in Bulletin No. 69, p. 536)

Amendment adopted in House 6/4/71 requires burial of animal within 24 hours after knowledge of the death of animal (originally within 24 hours of death). Requires governing body of each municipality and bd. of comm'rs of each county to designate some appropriate person to provide for removal and disposal according to provisions of act of any dead domesticated animals located within jurisdiction of the respective governing agency when the owner of said animals cannot be determined.

- H 823 (Mecklenburg) Purchase prefab schools (digested in Bulletin No. 77, p. 620)
Amendment adopted in House 6/4/71 makes bill applicable to Winston-Salem/
Forsyth in addition to Charlotte-Mecklenburg and makes clarifying amendments.
- H 890 Physicians' ass'ts registration (Iden. S 554, digested in Bulletin No. 82,
p. 673)
Amendment adopted in House 6/4/71 deletes prohibition against assistant
engaging in practice of dentistry or optometry.
- H 955 (Johnston) Benson Charter revision (digested in Bulletin No. 87, p. 739)
Amendment adopted in House 6/4/71 changes description of corporate boundaries,
conforms comm'r's oath to NC Constitution, requires Town Attorney to attend comm'rs'
meetings only on request, requires petition to annex non-contiguous territory be
presented by June 30, 1973, and makes technical changes.
- H 1041 County and city auxiliary police (digested in Bulletin No. 95, p. 823)
Amendment adopted in House 6/4/71 requires auxiliary police to be dressed in
prescribed uniform at any time member exercises any of duties or authority provided
for in act.
- H 1042 Dentistry law revision (Iden. S 675, digested in Bulletin No. 95, p. 823)
Amendment adopted in House 6/4/71 deletes section granting members of NC Bd.
of Dental Examiners immunity from civil liability for acts performed in course and
scope of official duties.
- H 1043 Dental hygiene revision (digested in Bulletin No. 95, p. 824)
Technical amendment adopted in House 6/4/71.
- H 1047 (Gaston) Cherryville firemen retirem't (digested in Bulletin No. 95, p. 826)
Amendment adopted in House 6/4/71 provides that firemen who resign are entitled
to have contributions returned (originally, contributions forfeited).
- H 1060 Evidence in boat accident cases (digested in Bulletin No. 95, p. 829)
Amendment adopted in House 6/4/71 makes proof of licensing, registration or
documentation (adds documentation) prima facie evidence of ownership of boat.
- H 1076 Creating Drug Authority (digested in Bulletin No. 96, p. 842)
Amendment adopted in House 6/4/71 changes title of Executive Director to
executive officer, requires advisory board to meet at least quarterly (originally,
no specified meeting times), and makes technical change.
- H 1108 (Cherokee) Murphy town limits (digested in Bulletin No. 97, p. 860)
Technical amendment adopted in House 6/4/71.

SENATE AM

CALENDAR ACTION

JUN.04,1971

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 18 TAX-EXEMPT MILITARY RETIRED PAY. S-REPTD FAV.
 #S. 64 RETIREMENT OF JUDGES-STAT..(6/02) RATIFIED CH. 508.
 S. 96 ENVIRONMENTAL BILL OF RIGHTS.(5/05) H-REPTD FAV AS AMENDED.
 S. 151 REVENUE NOTES-HIGHER EDUCATION. H-PASSED 3RD READING.
 S. 155 TAX EXEMPTION AGREEMENTS. S-REPTD FAV.
 S. 208 BEAR KILLING PENALTY.(4/20) H-POSTPONED TO JUNE 9.
 S. 275 SALE OF UNCLAIMED VEHICLES.(4/16, 4/20) H-PASSED 2ND & 3RD READING.
 S. 332 EXCISE STAMP TAX ON CONVEYANCES.(6/04) S-COM AMENDS ADOPTED.
 S. 363 UTILITIES COMM'N-CLARIFYING ACT. S-REPTD FAV.
 #S. 366 UTILITIES COMM'N-FREIGHT ROUTES. S-REPTD UNFAV.
 S. 367 UTILITIES COMM'N-SERVICE RESALE. S-REPTD FAV AS AMENDED.
 S. 370 UTILITIES COMM'N-EXEMPTION-2. S-REPTD FAV AS AMENDED.
 S. 382 DISORDERLY CONDUCT.(5/19) H-PASSED 2ND READING.
 S. 402 WORLD LAW AND ORDER. S-REPTD FAV.
 S. 441 INSURER HOLDING REGISTRATION. H-PASSED 2ND & 3RD READING.
 S. 489 LICENSING LIVESTOCK DEALERS.(5/24) H-RE-REF COM ON JUDIC 2.
 S. 516 UNIV. STUDENT PUBL. FEES. S-REPTD UNFAV-MIN REPORT; S-PLACED ON CAL FOR JUNE 9.
 S. 536 1969 ZOO APPROPRIATION. H-PASSED 2ND & 3RD READING.
 S. 538 NC MEM. HOSP. DIRECTORS. S-REPTD FAV.
 S. 543 FORESTERS' REGISTRATION. S-REPTD FAV.
 S. 548 COST REDUCTION INCENTIVE BONUS. S-REPTD FAV; S-RE-REF COM ON APPROPN.
 S. 552 NONPAYMENT INSUR. ADVANCES. H-REC FROM SENATE; H-REF TO COM ON INSUR.
 S. 569 CIVIL PROCEDURE CHANGES.(6/02) S-PASSED 2ND & 3RD READING.
 S. 571 QUAIL PROPAGATION AND SALE-2.(5/20, 5/03) H-PASSED 3RD READING; S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.
 S. 584 POST OFFICE AND BANK AT WCU. S-REPTD FAV.
 S. 585 GROUP LIFE INSUR.-MAXIMUM PAYMENT. H-PASSED 2ND & 3RD READING.
 S. 591 FINING WCU TRAFFIC OFFENDERS. S-REPTD FAV.
 S. 599 TELEGRAPH ARRESTS-WARRANTS.(6/04) S-REP FAV COM SUB AS AMEND; S-COM SUBSTITUTE ADOPTED.
 S. 609 INTERNATIONAL COOPERATION COMM'N.(5/28, 6/04) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
 S. 611 NO DRINKING IN VEHICLES.(6/03) H-REC FROM SENATE; H-REF TO COM ON JUDIC 1.

- S. 625 LITERARY FUND INTEREST RATE. S-PASSED 2ND & 3RD READING.
- S. 626 SCHOOL UNIT EMPLOYEE BONDS. S-PASSED 2ND & 3RD READING.
- S. 627 USE OF LITERARY FUND LOANS. S-PASSED 2ND & 3RD READING.
- S. 640 INSOLVENT INSURER GUARANTY ASSOC.. S-PASSED 3RD READING.
- S. 644 CORRECTING SL 1971, CH. 363. H-PASSED 2ND & 3RD READING.
- S. 648 TRAFFIC RULES-COMMUNITY COLLEGES. S-REPTD FAV.
- S. 651 MOREHEAD COMMISSION POWERS. H-PASSED 2ND & 3RD READING.
- S. 677 JUVENILE PROBATION OFFICERS-APP.. H-REC FROM SENATE; H-REF TO COM ON COURTS.
- S. 683 COURTS COMM'N MEMBERS-TERMS. S-PASSED 2ND & 3RD READING.
- S. 705 ACCIDENT CASE FILES TERMINATION. H-REC FROM SENATE; H-REF TO COM ON HY SAFTY.
- S. 712 LICENSE PLATES-CITIZENS RADIO. H-REC FROM SENATE; H-REF TO COM ON ROADS.

- H. 153 MUNICIPAL LAW REVISION.(6/04) H-REP FAV COM SUB AS AMEND; H-COM SUBSTITUTE ADOPTED; H-PLACED CAL FOR JUNE 10.
- H. 294 DRUG LAW REVISION.(6/03) H-PASSED 2ND READING.
- H. 418 AERONAUTICS REVISION.(6/04) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 487 OUT-OF-STATE COSTS-MENTALLY ILL. H-REPTD FAV.
- H. 548 CHILD ABUSE REPORTING.(6/03) H-POSTPONED TO JUNE 8.
- H. 596 SECURITIES LAW EXEMPTION.(6/03) H-PASSED 2ND & 3RD READING.
- H. 630 MASS GATHERINGS-REGULATION.(6/04) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 727 NO LOITERING AT POLLS.(4/30, 5/13) S-PLACED ON CAL FOR JUNE 8.
- H. 752 DEAD DOMESTIC ANIMALS DISPOSITION.(6/04) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 781 WATER SUPPLY DAMAGES RECOVERABLE. H-REPTD FAV AS AMENDED; H-PLACED CAL FOR JUNE 15.
- H. 784 MENTAL HEALTH COUNCIL. H-REPTD FAV.
- #H. 809 TWO-TERM GOVERNORS-REFERENDUM. H-REPTD UNFAV.
- H. 827 (J.RES.) BUSING STUDENTS-PETITION CONG.. H-PASSED 2ND & 3RD READING.
- #H. 837 (J.RES.) MEMORIALIZING B.G. PARKER, JR.. RATIFIED RES. 78.
- H. 855 FORESTERS REGISTRATION.(5/27, 5/28) S-REPTD FAV.
- #H. 856 NUKE POWER PLANT INS.. RATIFIED CH. 510.
- H. 858 PORTS AUTHORITY EARNINGS. H-PASSED 2ND & 3RD READING.
- H. 876 (J.RES.) EXEC. REORG. AMEND-HIGHER ED. H-POSTPONED TO JUNE 17.
- H. 882 REGULATING UNC UTILITIES. H-POSTPONED TO JUNE 9.
- H. 890 PHYSICIANS' ASS'TS REGISTRATION.(6/04) H-COM AMEND ADOPTED; H-PASSED 2ND READING.
- H. 950 VOTING ON 18-YEAR VOTE. S-REPTD FAV.
- H. 977 PROHIBITING LAW PRACTICE BY BANKS.(6/03) H-PASSED 2ND & 3RD READING.
- H. 978 PLUMBING-HEATING CONTRACTORS. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
- H.1002 TRAFFIC RULES-COMMUNITY COLLEGES. H-POSTPONED TO JUNE 9.

- H. 1018 CUSTODY, SUPPORT SUIT-COUNSEL FEES. (6/03) S-REC FROM HOUSE;
S-REF TO COM ON JUDIC 1.
- H. 1020 LICENSE TAXES-CAMPGROUNDS. (6/03) H-PASSED 3RD READING.
- H. 1027 LICENSE FEE-CHIROPRACTOR. H-PASSED 2ND & 3RD READING.
- #H. 1032 MOREHEAD COMMISSION POWERS. H-POSTPONED INDEF.
- H. 1035 METHOD OF MARKING BALLOTS. H-PASSED 2ND & 3RD READING.
- H. 1041 COUNTY & CITY AUXILIARY POLICE. (6/04) H-FLOOR AMEND ADOPTED;
H-PASSED 2ND & 3RD READING.
- H. 1042 DENTISTRY LAW REVISION. (6/04) H-COM AMEND ADOPTED; H-PASSED
2ND & 3RD READING.
- H. 1043 DENTAL HYGIENE LAW REVISION. (6/04) H-COM AMEND ADOPTED;
H-PASSED 2ND & 3RD READING.
- H. 1060 EVIDENCE IN BOAT ACCIDENT CASES. (6/04) H-COM AMEND ADOPTED;
H-PASSED 2ND & 3RD READING.
- H. 1073 CORRECTING GS 1A-1, RULE 55C. H-PASSED 2ND & 3RD READING.
- H. 1076 CREATING DRUG AUTHORITY. (6/04) H-COM AMEND ADOPTED; H-PASSED
2ND & 3RD READING.
- #H. 1086 (J. RES.) MEMORIALIZING CROUSE. RATIFIED RES. 79.
- H. 1088 COUNTY LANDFILL FUNDS. H-PASSED 3RD READING.
- H. 1109 POULTRY PRODUCTS INSPECTION ACT. H-POSTPONED TO JUNE 9.
- H. 1136 (J. RES.) MEMORIALIZING BRANTLEY. H-PASSED 2ND & 3RD READING.
- H. 1168 REQUIRING JUDGES BE LAWYERS. H-REPTD FAV AS AMENDED.

LOCAL BILLS

- S. 442 (SURRY) SCHOOL BOND ELECTION. (5/20) H-PASSED 2ND READING.
- S. 616 (CUMBERLAND) CITY-COUNTY SCHOOL BOARD. S-PASSED 2ND READING.
- S. 629 (HALIFAX) COUNTY LAW OFFICERS FUND. H-PASSED 2ND & 3RD
READING.
- S. 702 (MECKLENBURG) MIXED DRINKS-ELECTION. (6/03) S-FLOOR AMEND
TABLED; S-PASSED 3RD READING.
- S. 722 (GASTON) BESSEMER CITY-FIVE GALL. LIMIT. H-REC FROM SENATE;
H-REF TO COM ON ABC.
- S. 737 (DAVIE) AMENDING SL 1971, CH. 399. S-PASSED 2ND & 3RD READING.
- #H. 541 (CARTERET, MOORE) GRAVEYARDS-PARKING & LITTERING. (5/21, 6/01)
RATIFIED CH. 509.
- H. 660 (HYDE) HUNTING FROM HIGHWAYS. (6/03) H-REC TO CONCUR IN S
AMEND; H-CONCURRED IN S AMEND.
- H. 666 (GUILFORD) GREENSBORO HOUSING AUTH. MEMBERSHIP. H-PASSED 2ND
& 3RD READING.
- H. 681 (MOORE) HUNTING FROM HIGHWAYS. H-PASSED 2ND & 3RD READING.
- #H. 730 (BERTIE) WILLIAMSTON HOUSING REDEV. COMM. H-REPTD UNFAV.
- H. 823 (MECKLENBURG) PURCHASE PREFAB SCHOOLS. (6/04) H-COM AMEND
ADOPTED; H-PASSED 2ND & 3RD READING.
- #H. 843 (ALAMANCE) BURLINGTON REALTY SALES. H-POSTPONED INDEF.
- H. 844 (HALIFAX) BD. OF EDUC. ELECTION. (5/20) S-PLACED ON CAL FOR
JUNE 7.
- H. 924 (PASQUOTANK) ALBEMARLE COLLEGE FUNDING. S-REPTD FAV.

- H. 945 (CUMBERLAND) CITY-COUNTY SCHOOL BOARD. H-PASSED 2ND & 3RD
READING; H-RECONSID 3RD & 2ND RDNGS; H-PLACED CAL FOR JUNE
10.
- H. 955 (JOHNSTON) BENSON CHARTER REVISION.(6/04) H-COM AMEND
ADOPTED; H-PASSED 2ND READING.
- H.1006 (BLADEN) WHITE LAKE TOWN BOUNDARIES. H-PASSED 2ND READING.
- H.1013 (WASHINGTON) COUNTY SCHOOL BOARD. S-PASSED 2ND & 3RD READING.
- H.1031 (WILSON) WILSON SCHOOL BD. ELECTION. S-PASSED 2ND & 3RD
READING.
- H.1040 (GRANVILLE) OXFORD COMPENSATION AUTHORITY. H-PASSED 2ND &
3RD READING.
- H.1047 (GASTON) CHERRYVILLE FIREMEN RETIREM'T.(6/04) H-COM AMEND
ADOPTED; H-PASSED 2ND & 3RD READING.
- H.1053 (CLEVELAND, POLK, RUTHERFORD) LEGALIZED BINGO. H-PASSED 2ND
& 3RD READING.
- H.1065 (CARTERET) SHERIFF'S SUCCESSOR. H-PASSED 2ND & 3RD READING.
- H.1068 (JOHNSTON) DISTRIBUTION OF ABC FUNDS. H-PASSED 2ND & 3RD
READING.
- H.1074 (CLEVELAND) SHELBY FILING FEES. H-PASSED 2ND & 3RD READING.
- H.1079 (ALAMANCE) BURLINGTON PROPERTY SALES. H-PASSED 2ND & 3RD
READING.
- H.1092 (GRAHAM) CHAIRMAN OF BD. OF COMM'RS-SALARY. H-PASSED 2ND &
3RD READING.
- H.1093 (GATES) GATESVILLE TOWN LIMITS. H-PASSED 2ND READING.
- H.1100 (MECKLENBURG) NUMBER OF HOSPITAL COMMISSIONERS. H-PASSED 2ND
& 3RD READING.
- H.1107 (GRAHAM) TRANSFER OF SURPLUS FUNDS. H-PASSED 2ND & 3RD
READING.
- H.1108 (CHEROKEE) MURPHY TOWN LIMITS.(6/04) H-COM AMEND ADOPTED;
H-PASSED 2ND READING.
- H.1114 (ONslow) BOARD OF EDUCATION REALTY SALE. S-REC FROM HOUSE;
S-REF TO COM ON EDUCATN.
- H.1119 (RICHMOND) HAMLET ABC FUNDS. H-PASSED 2ND & 3RD READING.
- H.1120 (RICHMOND) ROCKINGHAM ABC FUNDS. H-PASSED 2ND & 3RD READING.
- H.1126 (DURHAM) DURHAM FIREMEN RETIREMENT. H-PASSED 2ND & 3RD
READING.
- H.1152 (ALAMANCE) BURLINGTON SCHOOL BD. PROPERTY. H-PASSED 2ND &
3RD READING.
- H.1153 (ROCKINGHAM) SCHOOL MERGER ELECTION. H-PASSED 2ND & 3RD
READING.

Next Sessions of Senate and House: 9:00 a.m., Saturday, June 5, 1971;
8:00 p.m., Monday, June 7, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 104

-935-

JUNE 7, 1971

Note: The Senate and House convened at 9:00 a.m. on Saturday, June 5, 1971, for consideration of local bills only. No bills were introduced and no calendar action was taken in either Chamber.

PUBLIC BILLS INTRODUCED

SENATE

S 751 Assigned risk insur. revision-2 (Iden. H 1190) GS 20
Introducers: Norton and others Sent to INSUR

"To amend Article 9A of Chapter 20 of the General Statutes of North Carolina to revise the North Carolina assigned risk plan." Rewrites GS 20-279.34 to require Comm'r of Insurance to develop revised assigned risk plan to be known as The North Carolina Automobile Plan. Comm'r to develop plan in consultation with insurance carriers writing automobile liability insurance in NC, or on own initiative if carriers do not propose plan, for equitable apportionment among carriers of applicants for automobile liability insurance on autos registered or principally garaged in NC who are unable to secure insurance through ordinary means. Plan adopted must provide for policies to be written in minimum amounts prescribed by GS 20-279.21 (\$10,000 for injury or death to one person in one accident, \$20,000 for injury or death of two or more persons in one accident, and \$5,000 for property damage in one accident), and, at the option of the applicant, coverage limits may be obtained of up to but not less than \$25,000/\$50,000/\$5,000, plus \$500 for medical expenses. The plan must provide for reasonable prorating of exposure to writing coverage limits in excess of those required to meet the minimum coverage of GS 20-279.21. All carriers must participate in the plan as a prerequisite to further engaging in writing insurance in NC. Based on loss experience of insurance written under the plan, the Comm'r shall establish rate classifications and schedules to apply to such policies written under the plan and rules and regulations to be used in writing policies under the plan. Comm'r authorized (as now) to refuse to assign applications or renewals, approve rejections and cancellations, etc. Effective July 1, 1973, as to policies written after that date; present GS 20-279.34 and plan adopted pursuant thereto shall apply to all policies written or renewed under NC Automobile Assigned Risk Plan prior to July 1, 1973.

S 752 Uninsured motorist fund-2 (Iden. H 1189) GS 20
Introducers: Norton and others Sent to INSUR

"To amend Article 9A of Chapter 20 of the General Statutes of North Carolina relating to administration of a proposed uninsured motorist fund." Adds new GS 20-279.21A providing that Uninsured Motorist Fund established by GS 20-309(f) shall be under supervision and control of Comm'r of Motor Vehicles, to be disbursed on his authority after consultation with Comm'r of Insurance, for purpose of reducing costs of auto liability insurance as defined in GS 20-279.21.



Comm'r of Motor Vehicles annually to make distributions from Fund to insurance carriers writing auto liability insurance in NC in the proportion that premium income at minimum basic limits required by law (gross premiums less cancellation and return premiums) for coverage required by subsection (d) of GS 20-279.21 bears to total premium income for such coverage written in NC during preceding year. Amount payable to any company shall apply only to those companies maintaining records satisfactory to Comm'r as will disclose loss experience under coverage. Effective Jan. 1, 1972.

S 753 Funds for hog cholera indemnity
Introducer: White

APPROPRIATION
Sent to APPROPRN

"To provide additional funds for fiscal year 1970-71 for hog cholera indemnity payments." Amends SL 1969, Ch. 807 to appropriate additional \$200,000 for fiscal 1970-71 (\$250,000 total, including \$50,000 already appropriated) to be allocated out of the Contingency and Emergency Fund for use by Dep't of Agriculture for payment of hog cholera indemnities.

S 754 Workmen's Comp. total disability-2
Introducer: Staton

GS 97
Sent to MFG LABR

"To amend G.S. 97-41 so as to effectuate the changes enacted by Senate Bill 281." Amends GS 97-41 to include as permanent total disability cases in which total and permanent disability results from the loss of both hands, or both arms, or both feet, or both legs, or both eyes, or any two thereof. (S 81, referred to in title, made related amendment to GS 97-29.) Effective July 1, 1971 and applicable to cases originating on and after that date.

HOUSE

H 1187 Transfer \$39 mil. to schools (Joint Resolution)
Introducer: McDaniel

APPROPRIATION
Sent to APPROPRN

"Stating that it is the intent of the members of the General Assembly that no less than thirty-nine million dollars of the recommended capital improvements appropriation be transferred to the public school appropriation." As title indicates.

H 1188 Trent River hunting
Introducer: Barker

GS 113
Sent to WILDLIFE

"To amend Chapter 273, Session Laws of 1971 relating to hunting on the Trent River and Brices Creek in Craven County." Amends cited chapter to provide that act shall be enforced by NC Wildlife Resources Comm'n.

H 1189 Uninsured Motorist Fund-2 (Iden. S 752)
Introducers: Leatherman and Rhyne

GS 20
Sent to INSUR

"To amend Article 9A of Chapter 20 of the General Statutes of North Carolina relating to administration of a proposed uninsured motorist fund." Identical with S 752, digested in the Senate section of today's Bulletin.

H 1190 Assigned risk insur. revision-2 (Iden. S 751)
Introducers: Leatherman and Rhyne

GS 20
Sent to INSUR

"To amend Article 9A of Chapter 20 of the General Statutes of North Carolina to revise the North Carolina assigned risk plan." Identical with S 751, digested in the Senate section of today's Bulletin.

H 1191 Attorney fees as costs
Introducer: Miller

GS 6
Sent to JUDIC 2

"To amend the provisions of G.S. 6-21.1 for the allowance of attorney fees as court costs." Rewrites and clarifies GS 6-21.1 to provide that in any suit, instituted in a court of record, where suit is one by an insured or beneficiary as plaintiff against an insurance company under a policy issued by the company, or is one for personal injury or property damage irrespective of who may be plaintiff or defendant, presiding judge may allow duly licensed attorney representing litigant obtaining a judgment for damages in said suit a reasonable attorney's fee, to be taxed as part of court costs, if: (a) judgment for recovery of damages is \$2,000 or less; and (b) presiding judge finds there was unwarranted refusal by judgment debtor to pay claim which constituted basis of suit.

H 1192 NCCU Home Ec Building funds
Introducers: Miller and Whichard

APPROPRIATION
Sent to APPROPRN

"To appropriate funds to North Carolina Central University for the construction of a building to be used in the teaching of home economics." Appropriates \$302,000 to NCCU for constructing addition to home economics building and equipping that building.

H 1193 Fire ins. stat. of limitations-2
Introducers: Whichard and Short

GS 1
Sent to INSUR

"To insert the three-year limitation contained in the Standard Fire Insurance Policy into the list of three-year limitations contained in G.S. 1-52." Amends GS 1-52 to set three-year limit on bringing of claims under lines 158-161 of Standard Fire Insurance Policy. Repeals SL 1971, Ch. 12 (H 75) which set limit for same claims. Effective Jan. 1, 1972.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

None

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 195 Livestock law rewrite (digested in Bulletin No. 34, p. 237; Committee Substitute digested in Bulletin No. 52, p. 377)
Amendment adopted in House 6/7/71 changes maximum fine for violation of act from \$500 to \$200 and max. imprisonment from six months to 30 days.

S 367 Utilities Comm'n-service resale (digested in Bulletin No. 57, p. 411)
Amendment adopted in Senate 6/7/71 makes bill inapplicable to a non-profit organization serving only its members and extends coverage to other coin operated devices with a charge for metered or coin operated utility service. (Originally, applied only to metered service).

S 370 Utilities Comm'n-exemption-2 (digested in Bulletin No. 57, p. 412)

Amendment adopted in Senate 6/7/71 alters definition of public utility to include any person or company which constructs a water system in a subdivision with plans for 10 or more lots and which holds itself out by contracts or other means at the time of said construction to serve an area containing more than 10 residential building lots. (Original bill only required company hold itself out by subdivision plans, contracts or other means to serve any area of more than 10 residential buildings.)

S 550 Eng. and land survey law rewrite (digested in Bulletin No. 81, p. 662)

Committee Substitute adopted in Senate 6/7/71 makes following changes in bill: (1) increases per diem for Board from \$20 to \$25; (2) for applicant for registered land surveyor's certificate with B.S. degree, deletes requirement for two years' progressive practical experience in land surveying; (3) for applicant who is graduate of two-year technical institute, reduces practical experience requirement from four years to two; (4) for applicant without requisite formal training, reduces requirement of record of practical experience satisfactory to Board from six years to four; (5) adds as practice exempt from act the internal engineering of research, development and manufacturing affiliates of communications common carriers, and (6) makes other technical changes.

S 599 Telegraph arrests-warrants (digested in Bulletin No. 86, p. 720; Committee Substitute digested in Bulletin No. 103, p. 927)

Amendments adopted in Senate 6/7/71 make technical corrections, add the name of the complainant to requirements of the abstract, and specify that waiver to service of the original must be made within the specified time.

S 695 (Iden. H 1084) Landlord-tenant jurisdiction (digested in Bulletin No. 93, p. 837)

Amendment adopted in House 6/7/71 deletes language allowing appeal to superior court of magistrate's action commanding removal of defendant from possession of rented premises (leaves appeal to district court).

S 698 Charitable groups tax exemption (digested in Bulletin No. 96, p. 838)

Technical amendment adopted in Senate 6/7/71.

HOUSE BILLS

H 294 Drug law revision (digested in Bulletin No. 31, p. 210; Committee

Substitute digested in Bulletin No. 102, p. 914)

Amendment adopted in House 6/7/71 adds in appropriate parts of proposed GS 90-95 (Violations, penalties), where provisions are made for fines and imprisonment, that the penalty may also be both fine and imprisonment in the discretion of the court.

H 347 Abolishment of coroner (digested in Bulletin No. 35, p. 247)

Amendments adopted in Senate 6/7/71 add Catawba, Edgecombe, Green, Halifax, Jones, Lenoir and Wake to list of counties to which act does not apply.

H 747 Assault law rewrite-2 (digested in Bulletin No. 69, p. 536)

Amendment adopted in Senate 6/7/71 deletes references to "attempts to inflict" serious damage or injury to another person, so that bill's coverage limited to actual infliction of damage and injury.

H 1021 Tax exempt minister's residence (digested in Bulletin No. 93, p. 798)

Technical amendment adopted in House 6/7/71.

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 18 TAX-EXEMPT MILITARY RETIRED PAY. S-PASSED 2ND & 3RD READING.
 S. 96 ENVIRONMENTAL BILL OF RIGHTS.(5/05) H-POSTPONED TO JUNE 8.
 #S. 99 DMV REGISTRATION RECORDS-NO RELEASE. S-REPTD UNFAV.
 #S. 151 REVENUE NOTES-HIGHER EDUCATION. RATIFIED CH. 511.
 S. 155 TAX EXEMPTION AGREEMENTS. S-PASSED 2ND & 3RD READING.
 S. 195 LIVESTOCK L. REWRITE.(3/25, 6/07) H-COM AMEND ADOPTED;
 H-PASSED 2ND READING.
 #S. 246 DRIVE-IN THEATRE SCREENING. S-REPTD UNFAV.
 S. 249 PODIATRY DEFINED. H-POSTPONED TO JUNE 8.
 S. 265 WELFARE GRANT REVISIONS.(5/06) H-PASSED 2ND & 3RD READING.
 #S. 275 SALE OF UNCLAIMED VEHICLES.(4/16, 4/20) RATIFIED CH. 512.
 S. 332 EXCISE STAMP TAX ON CONVEYANCES.(6/04) S-PASSED 2ND READING.
 S. 358 UTILITIES COMM'N-PIPELINE SAFETY-1. H-POSTPONED TO JUNE 8.
 S. 359 UTILITIES COMM'N-ATTORNEYS-1. H-POSTPONED TO JUNE 8.
 S. 362 UTILITIES COMM'N-MOTOR CARRIERS.(5/10) H-POSTPONED TO JUNE 8.
 S. 363 UTILITIES COMM'N-CLARIFYING ACT. S-PASSED 2ND READING.
 S. 364 UTILITIES COMM'N-SERVICE HEARINGS.(5/10) H-POSTPONED TO JUNE 8.
 S. 367 UTILITIES COMM'N-SERVICE RESALE.(6/07) S-COM AMEND ADOPTED;
 S-PASSED 2ND & 3RD READING.
 S. 369 UTILITIES COMM'N-EXEMPTION-1. H-POSTPONED TO JUNE 8.
 S. 370 UTILITIES COMM'N-EXEMPTION-2.(6/07) S-COM AMEND ADOPTED;
 S-PASSED 2ND & 3RD READING.
 S. 382 DISORDERLY CONDUCT.(5/19) H-POSTPONED TO JUNE 11.
 S. 398 SAVINGS & LOAN ASSOC.-POWERS.(5/13) H-POSTPONED TO JUNE 8.
 S. 402 WORLD LAW AND ORDER. S-RE-REF TO COM ON JUDIC 2.
 S. 429 FIRE LIGHT-DEER HUNTING PENALTY.(5/13) H-PASSED 2ND & 3RD READING.
 #S. 441 INSURER HOLDING REGISTRATION. RATIFIED CH. 513.
 S. 461 LOAN TRANSFER FEE.(5/11) H-POSTPONED TO JUNE 8.
 S. 488 PLANT PEST CONTROL. H-PASSED 2ND & 3RD READING.
 S. 501 INDUS. COMM'N EMPLOYEES' PAY. H-PASSED 2ND & 3RD READING.
 #S. 536 1969 ZOO APPROPRIATION. RATIFIED CH. 514.
 S. 538 NC MEM. HOSP. DIRECTORS. S-PASSED 2ND & 3RD READING.
 S. 543 FORESTERS' REGISTRATION. S-PLACED ON CAL FOR JUNE 9.
 #S. 550 ENG. AND LAND SURVEY LAW REWRITE.(6/07) S-REPTD UNFAV; S-COM SUB ADOPTED; S-PLACED ON CAL FOR JUNE 9.
 S. 569 CIVIL PROCEDURE CHANGES.(6/02) H-REC FROM SENATE; H-REF TO COM ON JUDIC 2.

- S. 570 NC SEED LAW REVISIONS. H-REC FROM SENATE; H-REF TO COM ON AGRICULT.
- #S. 571 QUAIL PROPAGATION AND SALE-2.(5/20, 6/03) RATIFIED CH. 515.
- S. 579 TRANSFER OF RECORDED SOUNDS. S-PLACED ON CAL FOR JUNE 8.
- S. 584 POST OFFICE AND BANK AT WCU. S-RE-REF COM ON APPROPN.
- #S. 585 GROUP LIFE INSUR.-MAXIMUM PAYMENT. RATIFIED CH. 516.
- S. 591 FINING WCU TRAFFIC OFFENDERS. S-PASSED 2ND & 3RD READING.
- S. 599 TELEGRAPH ARRESTS-WARRANTS.(6/04, 6/07) S-COM AMENDS ADOPTED; S-PLACED ON CAL FOR JUNE 8.
- S. 609 INTERNATIONAL COOPERATION COMM'N.(5/28, 6/04) S-REC TO CONCUR IN H AMEND; S-PLACED ON CAL FOR JUNE 8.
- S. 625 LITERARY FUND INTEREST RATE. H-REC FROM SENATE; H-REF TO COM ON EDUCATN.
- S. 626 SCHOOL UNIT EMPLOYEE BONDS. H-REC FROM SENATE; H-REF TO COM ON EDUCATN.
- S. 627 USE OF LITERARY FUND LOANS. H-REC FROM SENATE; H-REF TO COM ON EDUCATN.
- S. 640 INSOLVENT INSURER GUARANTY ASSOC.. H-REC FROM SENATE; H-REF TO COM ON INSUR.
- #S. 644 CORRECTING SL 1971,CH. 363. RATIFIED CH. 518.
- S. 648 TRAFFIC RULES-COMMUNITY COLLEGES. S-PASSED 2ND & 3RD READING.
- #S. 651 MOREHEAD COMMISSION POWERS. RATIFIED CH. 519.
- S. 658 DEFAULT JUDGMENTS. S-RE REF TO COM ON COURTS.
- S. 683 COURTS COMM'N MEMBERS-TERMS. H-REC FROM SENATE; H-REF TO COM ON COURTS.
- S. 686 SECOND DISMISSAL FROM SCHOOL. S-PASSED 2ND & 3RD READING.
- S. 695 LANDLORD-TENANT JURISDICTION.(6/07) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- S. 696 CONFORMING STATUTES TO GS 7A. H-PASSED 2ND & 3RD READING.
- S. 697 MOTORCYCLE RIDERS EYE PROTECT.. S-RE-REF COM ON HY SAFETY.
- S. 698 CHARITABLE GROUPS TAX EXEMPTION.(6/07) S-COM AMEND ADOPTED; S-PASSED 2ND READING.
- S. 716 INDIGENT'S WAIVER OF COUNSEL. S-PASSED 2ND & 3RD READING.

- H. 51 OPEN PUBLIC MEETINGS.(3/18, 3/23, 3/24, 6/03) S-PLACED ON CAL FOR JUNE 9.
- H. 186 TAX EXEMPT MILITARY RETIRED PAY-3. H-REPTD FAV.
- H. 248 DISCOVERY OF DEBTOR'S ASSETS.(5/13) S-PASSED 2ND & 3RD READING.
- H. 283 NARCOTIC DRUGS-VEHICLE CODE.(4/20, 5/05, 5/07, 5/10) S-PLACED ON CAL FOR JUNE 9.
- H. 293 LESSOR'S LIENS,PROCEEDS OF SALE.(5/20) S-PLACED ON CAL FOR JUNE 8.
- H. 294 DRUG LAW REVISION.(6/03, 6/07) H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING.
- #H. 347 ABOLISHMENT OF CORONER.(3/26, 4/07, 4/30, 4/30, 6/07, 6/07) S-COM AMEND ADOPTED; S-FLOOR AMENDS ADOPTED; S-TABLED.
- H. 418 AERONAUTICS REVISION.(6/04) H-PASSED 2ND & 3RD READING.
- H. 468 REGULATING SUBDIVISION SALES. S-RE-REF COM ON JUDIC 2.
- H. 487 OUT-OF-STATE COSTS-MENTALLY ILL. H-PASSED 2ND READING.

- H. 596 SECURITIES LAW EXEMPTION.(6/03) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
- H. 630 MASS GATHERINGS-REGULATION.(6/04) H-POSTPONED TO JUNE 8.
- H. 747 ASSAULT LAW REWRITE-2.(6/07) S-COM AMEND ADOPTED; S-PLACED ON CAL FOR JUNE 8.
- H. 752 DEAD DOMESTIC ANIMALS DISPOSITION.(6/04) S-REC FROM HOUSE; S-REF TO COM ON AGRICULT.
- H. 755 N.C. EMPLOYEE IN-SERVICE TRAINING.(5/27) S-PASSED 2ND & 3RD READING.
- H. 784 MENTAL HEALTH COUNCIL. H-PASSED 2ND & 3RD READING.
- H. 827 (J.RES.) BUSING STUDENTS-PETITION CONG.. S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
- H. 834 FARM LAND VALUATION-2. H-REPTD FAV.
- H. 855 FORESTERS REGISTRATION.(5/27, 5/28) S-PLACED ON CAL FOR JUNE 9.
- H. 858 PORTS AUTHORITY EARNINGS. S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H. 870 HOME HEALTH AGENCIES. S-PLACED ON CAL FOR JUNE 9.
- H. 890 PHYSICIANS' ASS'TS REGISTRATION.(6/04) H-PASSED 3RD READING.
- H. 904 RELOCATION ASSISTANCE.(5/14) S-REPTD FAV.
- H. 926 BARBER LAW-PENALTY CHANGE. H-POSTPONED TO JUNE 8.
- H. 944 NAME CHANGE-GOOD NEIGHBOR COUNCIL. H-POSTPONED TO JUNE 8.
- H. 965 PRORATE INHERITANCE TAX EXEMPTION. H-REPTD FAV.
- H. 977 PROHIBITING LAW PRACTICE BY BANKS.(6/03) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.
- H.1012 (J.RES.) PRIVATE CHILD-CARE FUNDS. H-POSTPONED TO JUNE 8.
- H.1020 LICENSE TAXES-CAMPGROUNDS.(6/03) S-REC FROM HOUSE; S-REF TO COM ON FINANCE.
- H.1021 TAX EXEMPT MINISTER'S RESIDENCE.(6/07) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H.1027 LICENSE FEE-CHIROPRACTOR. S-REC FROM HOUSE; S-REF TO COM ON FINANCE.
- H.1035 METHOD OF MARKING BALLOTS. S-REC FROM HOUSE; S-REF TO COM ON POLICIES.
- H.1036 DISEASED ANIMALS RUNNING AT LARGE. H-PASSED 2ND & 3RD READING.
- H.1042 DENTISTRY LAW REVISION.(6/04) S-REC FROM HOUSE; S-REF TO COM ON PUB HLTH.
- H.1043 DENTAL HYGIENE LAW REVISION.(6/04) S-REC FROM HOUSE; S-REF TO COM ON PUB HLTH.
- H.1044 HUSBAND-WIFE TRESPASS TESTIMONY. H-PASSED 2ND & 3RD READING.
- H.1045 FEE INCREASE FOR CERTIFIED COPY. H-PASSED 2ND READING.
- H.1050 RESIDENT HUNTING LICENSES. H-PASSED 2ND & 3RD READING.
- H.1073 CORRECTING GS 1A-1,RULE 55C. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
- H.1076 CREATING DRUG AUTHORITY.(6/04) H-REC FROM HOUSE; S-REF TO COM ON MENTAL H.
- H.1084 LANDLORD-TENANT JURISDICTION. H-POSTPONED TO JUNE 8.
- #H.1085 CONFORMING STATUTES TO GS 7A. H-POSTPONED INDEF.
- H.1088 COUNTY LANDFILL FUNDS. S-REC FROM HOUSE; S-REF TO COM ON FINANCE.

- H.1122 RECORDATION OF SERVICE DISCHARGE. H-PASSED 2ND & 3RD READING.
H.1123 MOVING LIVE POULTRY AND LIVESTOCK. H-PASSED 2ND READING.
H.1136 (J. RES.) MEMORIALIZING BRANTLEY. S-REC FROM HOUSE; S-REF TO COM ON RULES.
H.1168 REQUIRING JUDGES BE LAWYERS. H-POSTPONED TO JUNE 8.

LOCAL BILLS

- S. 442 (SURRY) SCHOOL BOND ELECTION.(5/20) H-PASSED 3RD READING.
S. 616 (CUMBERLAND) CITY-COUNTY SCHOOL BOARD. S-PASSED 3RD READING.
#S. 629 (HALIFAX) COUNTY LAW OFFICERS FUND. RATIFIED CH. 517.
S. 702 (MECKLENBURG) MIXED DRINKS-ELECTION.(6/03) H-REC FROM SENATE;
H-REF TO COM ON ABC.
S. 707 (NEW HANOVER) RESTRICT FOX HUNTING.(6/03) H-REC FROM SENATE;
H-REF TO COM ON WILDLIFE.
S. 717 (RICHMOND) SALES TAX PROCEEDS. S-PASSED 2ND & 3RD READING.
S. 737 (DAVIE) AMENDING SL 1971,CH. 399. H-REC FROM SENATE; H-REF
TO COM ON EDUCATN.
#H. 660 (HYDE) HUNTING FROM HIGHWAYS.(6/03) RATIFIED CH. 520.
H. 666 (GUILFORD) GREENSBORO HOUSING AUTH. MEMBERSHIP. S-REC FROM
HOUSE; S-REF TO COM ON LOC GOVT.
H. 681 (MOORE) HUNTING FROM HIGHWAYS. S-REC FROM HOUSE; S-REF TO
COM ON WILDLIFE.
H. 844 (HALIFAX) BD. OF EDUC. ELECTION.(5/20) S-PASSED 2ND & 3RD
READING.
H. 924 (PASQUOTANK) ALBEMARLE COLLEGE FUNDING. S-PASSED 2ND & 3RD
READING.
H. 955 (JOHNSTON) BENSON CHARTER REVISION.(6/04) H-PASSED 3RD
READING.
H.1006 (BLADEN) WHITE LAKE TOWN BOUNDARIES. H-PASSED 3RD READING.
#H.1013 (WASHINGTON) COUNTY SCHOOL BOARD. RATIFIED CH. 521.
#H.1031 (WILSON) WILSON SCHOOL BD. ELECTION. RATIFIED CH. 522.
H.1040 (GRANVILLE) OXFORD COMPENSATION AUTHORITY. S-REC FROM HOUSE;
S-REF TO COM ON LOC GOVT.
H.1047 (GASTON) CHERRYVILLE FIREMEN RETIREM'T.(6/04) S-REC FROM
HOUSE; S-REF TO COM ON LOC GOVT.
H.1053 (CLEVELAND, POLK, RUTHERFORD) LEGALIZED BINGO. S-REC FROM
HOUSE; S-REF TO COM ON LOC GOVT.
H.1065 (CARTERET) SHERIFF'S SUCCESSION. S-REC FROM HOUSE; S-REF TO
COM ON LOC GOVT..
H.1068 (JOHNSTON) DISTRIBUTION OF ABC FUNDS. S-REC FROM HOUSE; S-REF
TO COM ON ABC.
H.1074 (CLEVELAND) SHELBY FILING FEES. S-REC FROM HOUSE; S-REF TO
COM ON LOC GOVT.
H.1079 (ALAMANCE) BURLINGTON PROPERTY SALES. S-REC FROM HOUSE; S-REF
TO COM ON LOC GOVT.
H.1092 (GRAHAM) CHAIRMAN OF BD. OF COMM'RS-SALARY. S-REC FROM HOUSE;
S-REF TO COM ON LOC GOVT.
H.1093 (GATES) GATESVILLE TOWN LIMITS. H-PASSED 3RD READING.

- H.1100 (MECKLENBURG) NUMBER OF HOSPITAL COMMISSIONERS. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1107 (GRAHAM) TRANSFER OF SURPLUS FUNDS. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1108 (CHEROKEE) MURPHY TOWN LIMITS.(6/04) H-PASSED 3RD READING.
- H.1119 (RICHMOND) HAMLET ABC FUNDS. S-REC FROM HOUSE; S-REF TO COM ON ABC.
- H.1120 (RICHMOND) ROCKINGHAM ABC FUNDS. S-REC FROM HOUSE; S-REF TO COM ON ABC.
- H.1126 (DURHAM) DURHAM FIREMEN RETIREMENT. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1152 (ALAMANCE) BURLINGTON SCHOOL BD. PROPERTY. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1153 (ROCKINGHAM) SCHOOL MERGER ELECTION. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

Next Session of House: 11:30 a.m., Tuesday, June 8, 1971.

Next Session of Senate: 12 noon, Tuesday, June 8, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
P. O. BOX 7294, RALEIGH, N. C.
27611 TEL. 755-3355
829-7677

BULLETIN NO. 105

-945-

JUNE 8, 1971

SENATE

PUBLIC BILLS INTRODUCED

S 755 NCCU Home Ec Building funds (Iden. H 1192)
Introducers: Allen and Currie

APPROPRIATION
Sent to APPROPRN

"To appropriate funds to North Carolina Central University for the construction of a building to be used in the teaching of home economics." Identical with H 1192 digested in Bulletin No. 104, p. 937.

S 756 Community drug abuse program (Iden H. 1200)
Introducer: Larkin

APPROPRIATION, GS 122
Sent to APPROPRN

"To authorize the State Department of Mental Health to establish community-based programs for the treatment and prevention of drug abuse." Authorizes drug-abuse program as title indicates, in areas selected by Comm'r of Mental Health, with services which may include, but not limited to, in-patient and out-patient services, partial hospitalization, emergency services, education services, diagnostic services, rehabilitation services, pre-care and after-care services, training, research and evaluation. Makes local mental health authorities responsible for operation of local programs in accordance with standards set by Comm'r of Mental Health. Permits local mental health authorities to contract with other agencies for one or more of needed services. Provides for discontinuation of State funding should local program not comply with State standards. Appropriates from General Fund to Dep't of Mental Health \$2,800,000 for 1971-73 biennium (\$1,000,000 for fiscal 1971-72 and \$1,800,000 for fiscal 1972-73), all such funds to go for local programs except in each fiscal year \$25,000 may be used by Dep't to direct and coordinate programs and maintain standards for operation. Provides for one-to-one match of State-local funds in each local program, with no State funds to be spent on any given local program until local mental health authority provides necessary matching funds. Effective July 1, 1971.

S 757 Control of biological residues
Introducer: White

GS 106
Sent to AGRICULT

"Providing for the control by the Department of Agriculture of biological residues in animals, animal products and feeds." Defines key terms including "biological residue" as any substance, including metabolics remaining in or on any animal prior to or at time of slaughter or in any of its tissues after slaughter, or in or on any animal product or animal feed as result of treatment with or exposure of the animal, animal product, or animal feed to any pesticide, hormone, hormone-like substance, growth promoter, antibiotic, anthelmintic, tranquilizer or other therapeutic or prophylactic agent. Authorizes Comm'r of Ag. to issue written order to detain or quarantine any animal, animal product or feed when reasonable cause to believe same contains any biological residue, until it is shown residue not contained therein or is within acceptable tolerances established by NC Bd. Ag, or same is destroyed or treated to reduce residue to acceptable levels. Places burden of providing animal safe on owner or custodian of animal, feed or animal product. Provides aggrieved party may appeal



Comm'r's order to superior court wherein animal detained and appeal to court of Appeals. Prohibits person from shipping, transporting, delivering, or receiving for movement any animal or product under detention or quarantine except by permit from Comm'r, or which he knows or by exercise or reasonable care should know is contaminated in violation of Act. Authorizes Comm'r to enter any place at reasonable times to inspect and examine animal products, feed, inspect records and facilities etc. to enforce Act; to make such inspections and investigations as considered necessary. Authorizes Bd. to make rules to effectuate Act (including tolerances) and makes violation of rules or any provision of Act punishable by maximum \$500 and/or 6 months. Effective Sept. 1, 1971.

S 758 Clean Water bonds
Introducers: McGeachy and others

APPROPRIATION, GS 130, 143
Sent to APPROPN

"To authorize the issuance of one hundred fifty million dollars in bonds of the State to provide funds for environmental improvement through grants to units of government for construction and improvement of wastewater treatment works, wastewater collection systems and water supply systems." Authorizes general obligation State bond issue for purposes indicated by title, subject to approval by voters of the State at Statewide election to be held not later than May 6, 1972 (which may be concurrent with other elections) on date to be fixed by proclamation of Governor. Specifies details of election procedure on bond issuance; makes bonds tax exempt and legal investments for fiduciaries; provides for supervision of bond issuance by State Treasurer.

Creates, if bonds approved by voters, a Clean Water Fund to be administered by Dep't of Admin. as follows: (1) Fund to be used for grants to units of gov't (cities, counties, special districts or State agencies) for construction or improvement of wastewater treatment works, wastewater collection systems and water supply systems, with maximum 25% grant limit of total construction cost subject to possible additional 5% grant if necessary for project to qualify for federal aid, to meet extreme public necessity or to provide funds to acquire realty where federal funds not available therefor. (2) Also authorizes, out of the Fund, a \$10 million Contingency Account from which allocations may be made by Dep't of Admin. (with Advis. Budget Comm'n approval) (a) for administrative expenses of Dep't of Admin., State Bd. Health, and Bd. Water and Air Resources in administering Act but not over 1% of aggregate bond issue; (b) for additional grant funds in any fiscal year when Advis. Budg. Comm'n determines compelling need therefor; and (c) to pay expenses of issuing and selling bonds. (3) Makes funds in Contingency Account other than funds for administrative expenses and cost of issuing bonds available equally to State Bd. Health and Bd. Water and Air Resources to extent Advis. Budg. Comm'n deems appropriate, and funds remaining in Account at end of fiscal 1976 shall be allocated between said agencies for grants pursuant to Act in inverse ratio to aggregate allocations thereto for preceeding five years. (4) Authorizes one-half proceeds from bond sale after deducting Contingency Account funds above be allocated to Pollution Control Account from which shall be made grants to units of gov't. for construction, improvement or expansion of wastewater treatment works, and wastewater collection systems but no funds shall be disbursed except upon written approval of Bd. Water and Air Resources. (5) Authorizes one-half proceeds after Contingency Account deduction be allocated to Water Supply Systems Account and no funds to be disbursed therefrom except upon written approval of State Bd. Health. (6) Establishes limits on aggregate amount allocations under Act not to exceed \$28,000,000 in first fiscal year beginning July 1, 1972 or \$56,000,000 in first two fiscal years, or \$84,000,000 in first three fiscal years, or \$112,000,000 in first four fiscal years or \$140,000,000 in first five fiscal years (7) Sets forth eligibility requirements for grantees, including financial capacity of unit, and projected revenues from rates adequate to meet projected costs.

(8) Establishes procedure for grant applications to be made to State Bd. of Health for water supply systems and to Bd. Water and Air Resources for wastewater treatment works or wastewater collection systems subject to uniform application developed jointly by said agencies. Requires filing of environmental impact statement with every application, and authorizes public hearing on application upon request. (9) Requires agencies to establish priorities quarterly for making grants and sets forth factors to be considered in establishing priorities. Establishes public necessity as primary priority factor; other factors to include federal aid eligibility, compatibility with state and regional plans, fiscal responsibility of unit, and need for aid. If application fails to qualify for grant by reason of priority assigned to it, it shall be considered for grant during next three succeeding quarters upon request of application. (10) Authorizes inspection of projects for which grants made by appropriate agency. (11) Empowers Bd. Health, Bd. Water and Air Resources and Dep't Admin. to make rules and regulations to carry out act, and to extent possible directs such be uniform and jointly adopted, including adoption of rules necessary to conform to federal requirements for federal grants and loans. (12) Requires Dep't Admin., State Treasurer, State Bd. Health and Bd. Water and Air Resources make annual reports to Advis. Budg. Comm'n and outlines requirements of such reports.

S 759 Financial responsibility changes (Iden. H 1198) GS 20
Introducers: Norton and others Sent to INSUR

"To amend Article 9A of Chapter 20 of the General Statutes relating to security requirements for the operation of motor vehicles in this state." Identical with H 1198, digested in the House section of today's Bulletin.

S 760 (Joint Resolution) Memorializing Ralph W. Slate MISC RES
Introducer: Murrow Sent to RULES

"Honoring the life and memory of Ralph W. Slate, former Legislator."
As title indicates.

HOUSE

H 1194 Labeling apples GS 106
Introducers: Mayfield and others Sent to AGRICULT

"Requiring all apples which are sold or offered for sale in this State to bear the applicable U.S. Grade." Requires all apples sold or offered for sale in closed containers in NC bear on container, bag, or receptacle the applicable U.S. grade or standard, or be marked "unclassified", "not graded" or "grade not determined". Makes violation misdemeanor punishable by maximum \$50 fine, and each day to constitute separate violation. Effective July 1, 1971.

H 1196 Term and pay of principals GS 115, APPROPRIATION
Introducer: Phillips Sent to APPROPRN

"To amend G.S. 115-157 to provide twelve months employment for classified principals and to appropriate funds to provide for this purpose." Amends cited section to provide that classified principals in public schools to be employed for term of 12 calendar months and to be paid at end of each month (now, employed for 10 calendar months but may be paid in 12 monthly installments). Principals to receive 1.25 days of vacation leave for each of 12 months and local boards of education to designate same or equivalent number of legal holidays as those designated by State Personnel Council for State employees. Appropriates from General Fund to State Board of Education funds to extend term of employment in following amounts: 1971-72-----\$3,582,305; 1972-73-----\$3,601,483. Effective July 1, 1971.

H 1197 Health boards compensation
Introducer: Hunter

GS 130
Sent to LOC GOVT

"To allow county commissioners to set the compensation of local boards of health." Amends GS 130-16 to provide that county commissioners to set per diem for local boards of health not to exceed \$20 for members and \$25 for chairman (now, set at \$8 (plus travel expenses), except as provided by local acts); provides for travel expenses not to exceed those in GS 138-5 ("Per diem and allowance of State boards"); per diem now provided by cited section to be effective until superseded by county commissioners.

H 1198 Financial responsibility changes (Iden. S 759)
Introducers: Leatherman and Rhyne

GS 20
Sent to INSUR

"To amend Article 9A of Chapter 20 of the General Statutes relating to security requirements for the operation of motor vehicles in this State." Amends GS 20-279.1(11) as to proof of financial responsibility, leaving amounts the same (\$10,000/20,000/5,000) but adding the following language: "except that as to any part of the damages due to injury to or destruction of any property of any one person, proof of ability to respond in damages for liability for only that part of the damages due to injury to or destruction of any property of any one person in excess of the first two hundred fifty dollars (\$250.00) in any one accident." Amends GS 20-279.5(c) ("Security required unless evidence of insurance; when security determined; suspensions; exceptions"), leaving present language unchanged but adding the following: "except that as to any part of the loss due to injury to or destruction of any property of any one person, only that part of the loss due to injury to or destruction of any property of any one person in excess of the first two hundred dollars (\$250.00) in any one accident shall be insured by said policy or obligated by said bond."

Amends GS 20-279.25 ("Money or securities as proof") to read as follows: "Proof of financial responsibility may be furnished by filing with the Commissioner a bond of the obligor secured by cash or securities in the amount of twenty-five thousand dollars (\$25,000) as herein provided conditioned for payment in amounts and under the same circumstances as would be required in a motor vehicle liability policy delivered or issued for delivery in this State with respect to any motor vehicle registered or principally garaged in this State and said bond shall not be cancellable except after 20 days written notice to the Commissioner. Said bond shall be accompanied by the certificate of the State Treasurer that obligor of said bond has deposited with him twenty-five thousand dollars (\$25,000) or securities such as may legally be purchased by savings banks or for trust funds of a market value of twenty-five thousand dollars (\$25,000) securing said bond together with a power of attorney in favor of the Commissioner authorizing the sale, transfer, or disposition of said cash or securities for the purposes provided in this section. All costs and expenses in connection with furnishing such bond shall be borne by the obligor. The Commissioner shall have power to sell, transfer or dispose of such of the cash or securities as shall be deemed necessary to discharge the liability under the bond, with any excess being paid over to the obligor."

Amends GS 20-279.33(a), adding provision that to qualify as self-insurer person must execute and deliver to Comm'r a bond conditioned for payments in amounts and under the same circumstances as would be required in a motor vehicle liability policy delivered or issued for delivery in this State with respect to any motor vehicles registered or principally garaged in State. Conforms GS 20-279.33(b) with change in GS 20-279.33(a). Provides act to become effective Jan. 1, 1972, but when the manner of giving proof of financial responsibility is by motor vehicle liability policy, the same shall apply only to policies written or renewed on or after said effective date.

H 1199 Special assessment-interest rate
Introducers: Venters and Watkins

GS 160
Sent to FINANCE

"To amend Articles 9 and 18 of Chapter 160 of the General Statutes to increase the interest rate on special assessments from six percent to eight percent per annum."
Amends GS 160-91 (payment of assessment in cash or by installment), GS 160-92 (payment of assessment enforced), GS 160-93 (sale or foreclosure for unpaid assessments barred in ten years; no penalties), GS 160-247 (cash payment; installment payments; rate of interest; sale of property), and GS 160-248 (notice for payment of assessment; interest for nonpayment; maturity of installments; penalties) as title indicates. Makes act applicable to all assessments levied subsequent to effective date (ratification) and applicable to installments due on special assessments already levied but not paid prior to effective date.

H 1200 Community drug abuse program (Iden. S 756)
Introducer: Raynor

APPROPRIATION, GS 122
Sent to APPROPRN

"To authorize the State Department of Mental Health to establish community-based programs for the treatment and prevention of drug abuse." Identical with S 756 digested in the Senate section of today's Bulletin.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 1195 Incorporate West End
Introducer: Auman

MOORE
Sent to LOC GOVT

"To incorporate the Town of West End in Moore County subject to an election."
Directs Moore County Bd. Elections to conduct special election after notice to determine if West End shall become municipal corporation, and to elect five candidates to office of Commissioner to serve until regular municipal election in 1973. Sets forth Town Charter, incorporating town and describing its boundaries. Establishes office of Mayor elected by Board of Commissioners for two yr. term, qualifications and compensation for town offices, and election procedure for regular municipal elections. Authorizes appointment of town attorney, town clerk, tax collector, accountant and other employees, and prescribes town's financial powers. Makes incorporation effective from date of election if approved by majority of voters

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 402 (Joint Resolution) World law and order (Iden. H 653) (digested in Bulletin No. 62, p. 465)

Committee Substitute adopted in Senate 6/8/71 differs from original resolution by removing specific references to My Lai and Lt. Calley, retaining more general references to Vietnam.

S 650 Distributing harmful food (digested in Bulletin No. 92, p. 785)

Amendment adopted in Senate 6/8/71 makes bill applicable to distribution of certain food at Halloween and all other times (originally all other times not specified).

H 727 No loitering at polls (digested in Bulletin No. 67, p. 517; amendment adopted in House 4/30/71 digested in Bulletin No. 78, p. 632; amendment adopted in Senate 5/13/71 digested in Bulletin No. 87, p. 740)

Amendment adopted in Senate 6/8/71 prohibits electioneering within 50 feet (was 75 feet) of entrance of building within which voting place is located, and adds provision that if voting place is located in a "large building" the registrar and judges of the precinct may designate the entrance to the voting place within said building and no electioneering will be permitted within 50 feet of this designated entrance.

H 834 Farm land valuation-2 (Identical with S 523, digested in Bulletin No. 78, p. 627)

Amendment adopted in House 6/8/71 changes from four to five years (year in which loss of eligibility occurs plus four preceding years) the number of years for which deferred taxes must be paid when land classified as farmland loses its eligibility for such classification.

H 1168 Requiring judges be lawyers (digested in Bulletin No. 102, p. 911)

Amendment adopted in House 6/8/71 permits Judge in office on January 1, 1973 not licensed to practice law in North Carolina to complete term he is then serving and to serve subsequent consecutive terms (originally, only permitted to complete term then serving). Requires amendment be voted on at next general election (originally, specified election in Nov. 1972).

SENATE AND HOUSE

CALENDAR ACTION

JUN.08,1971

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 4 18 YEAR OLD MAJORITY.(5/25) H-REPTD FAV.
 S. 18 TAX-EXEMPT MILITARY RETIRED PAY. H-REC FROM SENATE; H-REF TO COM ON FINANCE.
 S. 155 TAX EXEMPTION AGREEMENTS. H-REC FROM SENATE; H-REF TO COM ON FINANCE.
 #S. 265 WELFARE GRANT REVISIONS.(5/06) RATIFIED CH. 523.
 S. 317 WORKMEN'S COMPENSATION-DISEASES.(4/27) H-REPTD FAV.
 S. 332 EXCISE STAMP TAX ON CONVEYANCES.(6/04) S-PASSED 3RD READING.
 S. 334 WORKMEN'S COMP.-EMPLOYEE DEATH-2.(6/01) H-REPTD FAV.
 S. 336 WORKMEN'S COMP.-SECURITY FUNDS. H-REPTD FAV.
 S. 363 UTILITIES COMM'N-CLARIFYING ACT. S-PASSED 3RD READING.
 S. 399 GOVERNMENTAL EMPLOYEES-REGULATION. S-REPTD FAV AS AMENDED.
 S. 402 WORLD LAW AND ORDER.(6/08) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
 #S. 429 FIRE LIGHT-DEER HUNTING PENALTY.(5/13) RATIFIED CH. 524.
 #S. 488 PLANT PEST CONTROL. RATIFIED CH. 526.
 #S. 501 INDUS. COMM'N EMPLOYEES' PAY. RATIFIED CH. 527.
 S. 538 NC MEM. HOSP. DIRECTORS. H-REC FROM SENATE; H-REF TO COM ON HIGHR ED.
 S. 542 MORTUARY TABLES. H-REPTD FAV.
 S. 579 TRANSFER OF RECORDED SOUNDS. S-PASSED 3RD READING.
 S. 591 FINING WCU TRAFFIC OFFENDERS. H-REC FROM SENATE; H-REF TO COM ON HIGHR ED.
 S. 599 TELEGRAPH ARRESTS-WARRANTS.(6/04, 6/07, 6/08) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
 S. 609 INTERNATIONAL COOPERATION COMM'N.(5/28, 6/04) S-CONCURRED IN H AMEND.
 S. 648 TRAFFIC RULES-COMMUNITY COLLEGES. H-REC FROM SENATE; H-REF TO COM ON EDUCATN.
 S. 650 DISTRIBUTING HARMFUL FOOD.(6/08) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
 S. 653 VEHICLE RECIPROCITY AGREEMENTS. H-REPTD FAV AS AMENDED.
 S. 686 SECOND DISMISSAL FROM SCHOOL. H-REC FROM SENATE; H-REF TO COM ON EDUCATN.
 S. 695 LANDLORD-TENANT JURISDICTION.(6/07) S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.
 #S. 696 CONFORMING STATUTES TO GS 7A. RATIFIED CH. 528.
 S. 698 CHARITABLE GROUPS TAX EXEMPTION.(6/07) S-PASSED 3RD READING.

- S. 716 INDIGENT'S WAIVER OF COUNSEL. H-REC FROM SENATE; H-REF TO COM ON COURTS.
- S. 723 ENFORCE MOBILE HOME STANDARDS. S-REPTD FAV AS AMENDED.
- #S. 740 FINES-PERIODIC PAYMENTS. S-REPTD UNFAV.
- S. 746 NEXT FRIEND COSTS. S-REPTD FAV.
- S. 754 WORKMEN'S COMP.-TOTAL DISABILITY-2. S-REPTD FAV.
- H. 100 DAY-CARE FACILITIES-2.(6/01, 6/03) H-PASSED 3RD READING.
- #H. 248 DISCOVERY OF DEBTOR'S ASSETS.(5/13) RATIFIED CH. 529.
- H. 293 LESSOR'S LIENS, PROCEEDS OF SALE.(5/20) S-PLACED ON CAL FOR JUNE 9.
- H. 418 AERONAUTICS REVISION.(6/04) S-REC FROM HOUSE; S-REF TO COM ON ST GOVT.
- #H. 558 DIVISION OF COASTAL RESOURCES. H-REPTD UNFAV.
- #H. 563 WOMEN'S WORK-WEEK HOURS. H-REPTD UNFAV.
- H. 650 MINING ACT OF 1971.(5/27) S-REPTD FAV AS AMENDED.
- H. 709 COASTAL FISHERIES ASSESSMENTS. H-REPTD FAV.
- H. 727 NO LOITERING AT POLLS.(4/30, 5/13, 6/08) S-COM AMEND ADOPTED; S-PASSED 3RD READING.
- H. 747 ASSAULT LAW REWRITE-2.(6/07) S-PLACED ON CAL JUNE 10.
- #H. 755 N.C. EMPLOYEE IN-SERVICE TRAINING.(5/27) RATIFIED RES. 80.
- H. 775 PROCESS SERVICE, COUNTER-CLAIMS.(5/07) S-REPTD FAV.
- H. 784 MENTAL HEALTH COUNCIL. S-REC FROM HOUSE; S-REF TO COM ON MENTAL H.
- H. 834 FARM LAND VALUATION-2.(6/08) H-FLOOR AMEND ADOPTED.
- H. 858 PORTS AUTHORITY EARNINGS. S-RECALLED FROM COM; S-RE-REF COM ON ST GOVT.
- H. 904 RELOCATION ASSISTANCE.(5/14) S-PASSED 2ND READING.
- H. 913 NURSE PRACTICE ACT FEES. S-PASSED 2ND & 3RD READING.
- H. 950 VOTING ON 18-YEAR VOTE. S-PASSED 2ND & 3RD READING.
- H.1003 CAPITAL, SURPLUS-INSUR. CO..(5/28) S-PASSED 2ND & 3RD READING.
- H.1036 DISEASED ANIMALS RUNNING AT LARGE. S-REC FROM HOUSE; S-REF TO COM ON AGRICULT.
- H.1041 COUNTY & CITY AUXILIARY POLICE.(6/04) S-REC FROM HOUSE; S-REF TO COM ON CORRECTN.
- H.1044 HUSBAND-WIFE TRESPASS TESTIMONY. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
- H.1045 FEE INCREASE FOR CERTIFIED COPY. H-PASSED 3RD READING.
- H.1050 RESIDENT HUNTING LICENSES. S-REC FROM HOUSE; S-REF TO COM ON WILDLIFE.
- H.1060 EVIDENCE IN BOAT ACCIDENT CASES.(6/04) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
- H.1066 CONTROL OF FISHING FROM BRIDGES. H-REPTD FAV.
- H.1073 CORRECTING GS 1A-1, RULE 55C. S-REPTD FAV.
- H.1101 CENTRAL PRISON-PERSONS UNDER 16. H-REPTD FAV.
- H.1122 RECORDATION OF SERVICE DISCHARGE. S-REC FROM HOUSE; S-REF TO COM ON VETERANS.
- #H.1168 REQUIRING JUDGES BE LAWYERS.(6/08) H-COM AMEND ADOPTED; H-FAILED 2ND READING.

LOCAL BILLS

- #S. 442 (SURRY) SCHOOL BOND ELECTION.(5/20) RATIFIED CH. 525.

- S. 616 (CUMBERLAND) CITY-COUNTY SCHOOL BOARD. H-REC FROM SENATE;
H-REF TO COM ON EDUCATN.
- S. 717 (RICHMOND) SALES TAX PROCEEDS. H-REC FROM SENATE; H-REF TO
COM ON FINANCE.
- S. 741 (ROCKINGHAM) REIDSVILLE ABC BOARD. S-REPTD FAV.
- H. 823 (FORSYTH, MECKLENBURG) PURCHASE PREFAB SCHOOLS.(6/04) S-REC
FROM HOUSE; S-REF TO COM ON EDUCATN.
- #H. 844 (HALIFAX) BD. OF EDUC. ELECTION.(5/20) RATIFIED CH. 530.
- #H. 924 (PASQUOTANK) ALBEMARLE COLLEGE FUNDING. RATIFIED CH. 531.
- H. 968 (LEE) SANFORD CHARTER,ABC,GOLF COMM'N.(5/28) S-REPTD FAV.
- H.1006 (BLADEN) WHITE LAKE TOWN BOUNDARIES. S-REC FROM HOUSE; S-REF
TO COM ON LOC GOVT.
- H.1093 (GATES) GATESVILLE TOWN LIMITS. S-REC FROM HOUSE; S-REF TO
COM ON LOC GOVT.

Next Sessions of Senate and House: 12 noon, Wednesday, June 09, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
P. O. BOX 7294, RALEIGH, N. C.
27611 TEL. 755-3355
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BULLETIN NO. 106

-955-

WEDNESDAY, JUNE 9, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 761 Amend Livestock Markets Act
Introducer: White

GS 106
Sent to AGRICULT

"Amending Article 35 of Chapter 106 relating to public livestock markets."

Amends GS 106-406 to provide that before permit is issued by Comm'r of Ag. to establish a livestock market, the NC Public Livestock Market Advisory Bd. (now Comm'r of Ag.) must find that the market for which license is sought fulfills legal requirements, and (new requirement) that there is sufficient need for such market in the locality where it is proposed to be established. Amends GS 106-408 to provide that feeder pig sales beginning after 2:00 p.m. must stop at 5:00 p.m. (now, may last no longer than one hour). Adds new GS 106-408.1 imposing \$25 fee to be paid by market operator for each day a sale is held, plus an additional maximum fee of \$10 per one-half hour for operations after 6:00 p.m., which additional fee may be modified by Bd. of Ag. for late operations under GS 106-408. Fee to be set by Bd. of Ag. may be charged to buyers of animals required to be tested under GS 106-409 and -410 (removing cattle and swine), and amount collected may be used to offset \$25 market operation fee. Test fees charged in excess of \$25 shall revert to Dep't of Ag. and be payable within 24 hours following close of sale day; failure to make payment shall be cause for Comm'r to prohibit further sales at market until account is paid. Operation fee shall be waived when market operator employs licensed veterinarian approved by St. Veterinarian to be present at market from starting time of sale until all livestock to be admitted to barn have entered and required inspection and vaccination work completed. Amends GS 106-416 to include in Comm'r's rule-making power to set time after which livestock shall not be allowed to enter sale barn on sale day. Amends GS 106-410 to delete language permitting swine to be shipped out of state without vaccination. Effective Aug. 1, 1971.

S 763 Moving mobile homes
Introducer: Saunders

GS 62
Sent to PUB UTIL

"To amend G.S. 62-260(a) to exempt the transportation of mobile homes within a single county." Adds transportation of mobile homes within a single county to list of exemptions in GS 62-260 from motor carrier regulations.

S 764 Higher education fees
Introducer: Strickland

GS 116
Sent to HIGHR ED

"To amend Section 143 of Chapter 116 of the North Carolina General Statutes to provide for application fees and advance deposits." Adds new paragraphs to GS 116-143 directing boards of trustees of institutions of higher education covered in Articles 1, 2 and 3 of GS Ch. 116 to require admission application fee of \$10 which is to be applied against student's tuition and fees upon enrollment but forfeited if student does not enroll. Directs same boards to require advance deposit of \$50 from



each student currently enrolled and intending to return for the succeeding academic year, that deposit to be paid during last term of current academic year and to be applied against tuition and fees if student returns. Allows waiver of \$50 deposit in hardship cases, and provides for refund if student gives notice of decision not to return within 30 days of end of term in which deposit paid, or if institution decides student is ineligible to return, or if student cannot return because of illness or military duty or other circumstances beyond his control; otherwise deposit to be forfeited and used to supplement appropriations for scholarships. Effective July 31, 1971.

S 765 Bd. of Regents Const. amend.
Introducer: Strickland

CONSTITUTION, GS 116
Sent to HIGHR ED

"To amend the Constitution of North Carolina to provide for the establishment of a Board of Regents." Amends Art. IX, Sec. 8 of NC Constitution to require General Assembly (as now) to maintain public system of higher education, comprising University of North Carolina and such other institutions as it deems wise. Requires General Assembly to provide for selection of: (1) Board of Regents to have general charge of University, to plan and coordinate higher education system in State (new), (2) trustees of other institutions not under Bd. of Regents of Univ. of NC (now, trustees of UNC and other institutions) in whom shall be vested all privileges, rights, franchises, and endowments granted or conferred upon these institutions, and (3) trustees of institutions under Bd. of Regents and provide for apportionment of all privileges, rights, franchises, and endowments formerly granted to or conferred upon these trustees (new). Authorizes General Assembly (as now) to enact laws necessary and expedient for maintenance and management of Univ. of NC and other public institutions of higher education. Provides for amendment to be submitted to voters at general election held Nov. 2, 1971 and, if approved, to become effective January 1, 1972.

S 766 Bd. of Higher Education-powers
Introducer: Strickland

GS 116
Sent to HIGHR ED

"To amend G.S. 116-158 by granting greater power and control to the State Board of Higher Education in matters of curricula and budgets." Rewrites GS 116-158(1) to prohibit any public senior educational institution from initiating or requesting from General Assembly, Advisory Budget Comm'n or any other State agency approval of or funding for any new degree program or educational function or activity until same has been approved by board of trustees of institution and by Bd. Higher Ed. in accordance with regularly established procedures. (Now, only specifies Bd. must act upon such request). Amends GS 116-158(5) authorizing Bd. to withdraw approval of a degree program if it appears program is unproductive, excessively costly, unnecessarily duplicative or for other reasons is of little value to State or institution. (Now, Bd. may not require abandoning or discontinuing activity.) Requires written notice of intent to withdraw program be given institution at least 15 months in advance of effective date of withdrawal, and provides institution may request hearing by Bd. to reconsider its decision within 60 days after receipt of notice. Generally rewrites GS 116-158(6) requiring Bd. in consultation with representatives of concerned institutions and State agencies to formulate budget review procedures, standards, criteria and formula and make recommendations to Dir. of Budget and Advis. Budg. Comm'n on forms required of institutions in submission of statements and estimates required under Executive Budget Act. Requires each institution submit to Bd. all statements and estimates required by Executive Budget Act of departments and agencies seeking State appropriations. Requires Bd., or committee thereof, in consultation with other concerned State agencies to review statements and estimates (inviting institutional presidents or representatives to present oral or written explanation as they wish) and to review requests for capital improvements in consultation with Division of Property Control and Construction of Department of Administration.

Requires Dir. after review to transmit to president of institution tentative recommendations concerning budget requests, and requires all presidents be afforded opportunity to be heard by Bd. or its executive committee before action is taken on budget requests. Provides Bd. shall then approve recommended budget for each institution and transmit same to Dir. of Budget and Advis. Budg. Comm'n with copies to presidents and chairmen of institutional bds. of trustees. Provides, if Bd's requests differ from institution's, at request of institution, such differences shall be indicated in submitting budget to Advis. Budg. Comm'n. Requires Dir. with presidents or their representatives to present and explain budgets to Advis. Budg. Comm'n and General Assembly. Directs appropriations be made directly to institutions but permits General Assembly to appropriate to Bd. for distribution funds for unspecified new programs or other purposes or activities as General Assembly may direct. Prohibits appropriations for any new physical facility, any new degree program, or any new major educational, research, extension or public-service function or activity without approval by Bd. Effective July 31, 1971.

S 767 Bd. of Regents, UNC system-2
Introducer: Strickland

GS 116
Sent to HIGHR ED

"To establish a system for the coordination and governance of higher education to be implemented by constitutional amendment." Identical with S 721 and H 1115 digested in Bulletin No. 98, p. 868, except that effective date is Jan. 1, 1972, rather than Oct. 1, 1971, and is conditioned upon passage of constitutional amendment submitted to the voters by S 721 or H 1115 (reference probably should read S 765).

S 768 Cumberland mental retarded funds (Iden. H 1206)
Introducer: Larkins

APPROPRIATION
Sent to APPROPN

"To develop a coordinated community mental retardation program to provide day and sheltered workshop services to mentally retarded children and adults." Identical to H 1206, digested in House section of today's Bulletin.

S 769 ECU med. school funds (Iden. H 1207)
Introducers: White and others

APPROPRIATION
Sent to APPROPN

"To provide funds for planning and initiating a curriculum for the school of medicine of East Carolina University authorized by G.S. 116-46.6." Identical with H 1207, digested in House section of today's Bulletin.

S 770 Fort Fisher residence funds
Introducer: Burney

APPROPRIATION
Sent to APPROPN

"To provide supplemental funds for the construction of a residence at Fort Fisher State Historic Site." Appropriates from General Fund to Dep't of Archives and History \$7,000 for purpose of supplementing funds already on hand for construction of manager's residence at Fort Fisher Historic Site. Effective July 1, 1971.

HOUSE

H 1201 No taking alligators
Introducer: Hunter

GS 113
Sent to WILDLIFE

"To prohibit the taking of American alligators." Rewrites sentence of GS 113-102 prohibiting taking of alligators or their eggs to add possession of alligator eggs to prohibited activities, but adding exemption when possession is by zoo with permit from Executive Director of Wildlife Resources Comm'n and is for purpose of display and/or propagation. Specifically repeals provision in SL 1965, Ch. 904 which exempted land owners from prohibition against taking alligators or eggs.

H 1204 Collection of fines
Introducer: Kemp

GS 14
Sent to JUDIC 2

"To provide for alternative methods that a court may employ in imposing a fine upon an individual." Adds new GS 14-4.1 giving the court the option when it imposes a fine upon an individual in a criminal proceeding to either order the entire amount paid at the time of imposition of sentence or to order the fine paid in specified installments at designated periods, with the clerk to report any failure to comply with that order.

H 1205 Tax refunds to fire dep'ts
Introducers: Hege and others

GS 105
Sent to FINANCE

"To amend Chapter 105 of the General Statutes to provide for motor fuel tax refunds to volunteer or county fire departments." Amends GS 105-446.1 to allow gasoline tax refunds of 8¢ per gallon to volunteer and county fire departments (now, refunds only to Highway Comm'n counties and municipalities) upon filing with the Comm'r of Revenue of a statement by the president or other designated officer or agent of the fire department giving the number of gallons purchased and used.

H 1206 Cumberland mentally retarded funds (Iden. S 768)
Introducers: Raynor and others

APPROPRIATION
Sent to APPROPRN

"To develop a coordinated community mental retardation program to provide day and sheltered workshop services to mentally retarded children and adults." Appropriates from General Fund to Dep't of Mental Health \$77,000 for fiscal 1971-72 and \$86,000 for fiscal 1972-73, to be used in Cumberland County as follows: (1) \$17,000 in fiscal 1971-72 and \$20,000 in fiscal 1972-73 for the Day Care Center for the Retarded; (2) \$40,000 in fiscal 1971-72 and \$44,000 in fiscal 1972-73 for the Cumberland Sheltered Workshop activities; and (3) \$20,000 in fiscal 1971-72 and \$22,000 in fiscal 1972-73 for the Mental Health Program. Provides that those programs are to be administered jointly by Dep't of Mental Health, Cumberland County Mental Health Authority and the boards of the Day Care Center and the Sheltered Workshop. Effective July 1, 1971.

H 1207 ECU med. school funds (Iden. S 769)
Introducers: H. Rountree and others

APPROPRIATION, GS 116
Sent to APPROPRN

"To provide funds for planning and initiating a curriculum for the School of Medicine of East Carolina University authorized by G.S. 116-46.4." States it is intention of act that arrangements whereby students who have completed first year medical training at ECU shall be automatically accepted in the second year class of UNC Med. School shall be faithfully carried out. Appropriates from General Fund \$1,802,816 for 1971-3 biennium to ECU for one-year med. school, and \$500,000 to Dep't of Administration as a reserve fund to enable UNC Med. School to establish student clerkships and house staff rotations in community hospitals in non-urban areas. Effective July 1, 1971.

H 1209 Standing for standards
Introducers: Bryan and others

GS 113, 130, 143
Sent to WATER

"To give private citizens standing to sue to require environmental agencies to enforce their standards of environmental quality." Defines "person" (not to include any agency, instrumentality or subdivision of State), "environmental protection agency of State Government," and "standards for protection of environmental quality." Provides any person may maintain an action in the Superior Court of Wake County for declaratory and equitable relief to require any environmental protection agency of State Government to enforce its own standards for protection of environmental quality, requiring as condition of suit 90 days notice of intent to bring suit to the defendant, identifying the standard which is claimed not to have been enforced and describing the alleged failure of enforcement. Provides for dismissal of action if standard in question is being substantially enforced, and that no action may be initiated pursuant to this section until the standard which is claimed not to have been enforced has been in effect for at least one year. Makes act effective upon ratification and until Sept. 1, 1974; and provides no action shall be initiated in court pursuant to act after Sept. 1, 1974, but any such action pending in court on said date may be brought to conclusion as if act continued in effect.

H 1210 First mortgage lending limit
Introducer: Short

GS 24
Sent to BANKS

"To amend G.S. 24-1.2 to limit certain first mortgage lending." Adds new subsections (c) and (d) to GS 24-1.2 providing that installment loans not exceeding \$300,000 may be made at a rate not to exceed 12% per year when secured by a first mortgage or deed of trust on real property where such real property is not used as the principal residence of the debtor, except that the rate may also not exceed 12% where the loan is secured by a first mortgage or deed of trust on real property that is the principal residence of the debtor where the principal amount of the loan does not exceed \$10,000 and is payable over a period of not more than ten years, provided that the loan is payable over a period of not more than ten years.

H 1211 Investment company taxes
Introducer: Short

GS 105
Sent to FINANCE

"To extend to real estate investment trusts the same exemption from intangible taxes as is extended to regulated investment companies." Amends GS 105-112 making any NC corporation which in opinion of Comm'r of Rev. qualifies as "regulated investment company" under provisions of US Code Annotated Title 26, Sec. 851 or as "real estate investment trust" under US Code Annotated Title 26, Sec. 856 and which files with NC Dep't of Revenue its election to be so treated, not be subject to any of taxes levied in article. Effective Jan. 1, 1972.

H 1212 Bd. of Plumbing and Heating Exam.
Introducers: Frye and Andrews

GS 87
Sent to JUDIC 2

"Enlarging the Board of Examiners of Plumbing and Heating Contractors." Amends GS 87-16, increasing membership of Board of Examiners of Plumbing and Heating Contractors from 7 to 9 members, adding to Board an additional heating contractor and a member of the School of Engineering of North Carolina Agricultural and Technical State University.

H 1213 Securities investment law
Introducers: S. Johnson and R. Farmer

GS 53
Sent to JUDIC 1

"To amend G.S. 53-45 relating to investments in certain federally approved securities to clarify and modernize the language thereof." Makes indicated language changes adding, where appropriate, "Federal Housing Administration", and "Secretary of Housing and Urban Affairs", and adds provision authorizing financial institutions covered by statute to make loans secured by real estate that are eligible and committed for sale to a national mortgage association, federal home loan bank, federal home loan mortgage corporation or other agency or instrumentality of the United States.

H 1214 Insurance agency records
Introducers: S. Johnson and Leatherman

GS 58
Sent to INSUR

"To amend Article 2 of Chapter 58 of the General Statutes of North Carolina to empower the Insurance Commissioner to prescribe records for insurance agencies, agents and others." Adds new GS 58-26 authorizing Insur. Comm'r to make and promulgate reasonable rules and regulations governing recording and reporting of insurance business transactions by insurance agencies, agents, brokers and producers of record as defined by GS 58-39.4 and licensed in NC or transacting business in NC, so that records and reports will accurately and separately reflect transactions of each such agency, agent, broker or producer of record in NC. Requires such information be furnished to Comm'r or authorized employee on demand and provides original records be open to inspection on demand.

Empowers Comm'r to make regulations governing custody and deposit of all funds of above to end that such funds derived from insurance business transactions be kept separate and apart from other funds. Requires every insurance agency to have some person employed or associated with agency, licensed as agent in NC, responsible for keeping records and reports required by this section and name of such person shall be filed with Insur. Comm'r. Requires notification be given to Comm'r if such person relieved of duties and new person appointed and compliance prerequisite to agency transacting insurance business in NC. Violation of provisions constitutes misdemeanor subject to hearing, person failing to keep required records may have license suspended or revoked for 1-6 months for first offense and 1 year for second offense. Effective Oct. 1, 1971.

H 1217 Clean Water bonds (Iden. S 758)
Introducer: R. Brown

APPROPRIATION, GS 130, 14
Sent to APPROPN

"To authorize the issuance of one hundred fifty million dollars in bonds of the State to provide funds for environmental improvement through grants to units of government for construction and improvement of wastewater treatment works, wastewater collection systems and water supply systems." Identical with S 758, digested in Bulletin No. 105, p. 946.

LOCAL BILLS INTRODUCED

SENATE

S 762 St. Pauls charter
Introducer: Britt

ROBESON
Sent to LOC GOVT

"To revise and consolidate the Charter of the Town of St. Pauls, North Carolina." Rewrites town charter setting forth town's powers and corporate limits. Establishes six member Bd. of Comm'rs serving four-year terms and provides for Mayor to be elected by Bd. for four-year term. Provides for compensation of Bd. and Mayor, Bd's meetings and rules for transacting business, municipal elections to be held first Tuesday after first Monday in May in odd-numbered years, registration and election procedure, appointments and duties of town officers and employees including town clerk, attorney, accountant, tax collector, and treasurer. Effective July 1, 1971.

S 771 Raccoon and opossum hunting
 Introducer: Crawford

YANCEY
Sent to HY SAFTY

"To regulate racoon and opossum hunting in Yancey County." Makes it unlawful to hunt racoon or opossum with dogs and firearms of any type or description at night in Yancey County from Feb. 1, 1972 to October 15, 1972 and from Feb. 1, 1973 to Oct. 15, 1973. Does not affect fox hunting in County at time of enactment, and after Oct. 15, 1973 laws now in effect shall govern. Violation punishable by \$50 fine. Effective Feb. 1, 1972.

HOUSE

H 1202 Paving garbage dump road
 Introducer: Collins

ASHE
Sent to LOC GOVT

"Authorizing the Ashe County garbage dump road to be paved from county funds." Authorizes Ashe County Bd. of Comm'rs to levy tax for fiscal 1971-2 to raise \$3,900 and appropriate that sum to reimburse Collection Service Co. for construction of raod from state highway 88 to the county garbage dump.

H 1203 Maxton charter
 Introducer: Speros

ROBESON
Sent to LOC GOVT

"To revise and consolidate the Charter of the Town of Maxton and to repeal prior charter acts." Rewrites town charter setting forth town powers and boundaries and establishing council-manager form of government. Provides for five member bd. of comm'rs to serve four yr terms and mayor elected by voters at large, to serve two year term. Provides for organization of bd., its rules and procedures, municipal elections to be held on first Tuesday after first Monday in May in odd-numbered years, and election procedure. Requires Bd. to appoint town manager and set forth his powers and duties. Permits bd. to appoint town clerk, tax collector, and accountant. Sets forth town's finance procedures; extends police jurisdiction; empowers Bd. to make street and sidewalk improvements and assessments for their cost; provides for water and sewer assessments and regulations governing refuse, weeds, and trash.

H 1208 Lease of school property
 Introducers: Bundy and H. Rountree

PITT
Sent to EDUCATN

"Authorizing the Pitt County Board of Education to lease school property no longer needed for school purposes for a period in excess of one year." As title indicates, effectively removing Pitt Bd. of Education from one-year lease limitation of GS 115-126(e).

H 1215 Public school and college coop.
 Introducers: Holshouser and Quinn

WATAUGA
Sent to HIGHR ED

"To authorize a cooperative agreement between Appalachian State Universtiy and the Watauga Board of Education." Authorizes Watauga County Bd. of Ed. and ASU to enter into a cooperative agreement for the development of programs in the public schools of Watauga County that will be beneficial and acceptable to both. Repeals Sec. 9, Ch. 204, Private Laws of 1925.

H 1216 County comm'rs-office terms
 Introducer: Holshouser

AVERY
Sent to LOC GOVT

"Relating to the terms of office of County Commissioners of Avery County." Provides for five member Bd. from and after first Monday in Dec. 1972; four to be

elected in 1972 with two receiving highest vote to serve four year terms and next two to serve two year terms. Provides for three comm'rs to be elected in 1974 and every two years thereafter; two candidates receiving highest votes to serve four year terms and next highest to serve two year term.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 96 Environmental bill of rights (digested in Bulletin No. 15, p. 97; Committee Substitute digested in Bulletin No. 81, p. 666)

Amendment to Committee Substitute adopted in House 6/9/71 clarifies language of second paragraph of proposed amendment to NC Constitution and adds to it provision that General Assembly shall prescribe by general law the conditions and procedures under which properties and interests therein shall be dedicated to the "State Nature and Historic Preserve."

S 286 Photographing defendants (digested in Bulletin No. 45, p. 323)

Committee Substitute adopted in Senate 6/9/71 rewrites and expands GS 114-19 as follows: (1) Requires head of every law enforcement agency in State after Jan. 1, 1972, take at least two sets of fingerprints of every person arrested for a felony or a misdemeanor for which the maximum punishment exceeds 6 months, and of any person committed to jail or prison upon conviction of a crime, if fingerprints were not taken at the time of arrest. Requires two sets of these fingerprints be forwarded to Director of SBI, and makes it the duty of the SBI to receive and collect police information, to assist in locating, identifying, and keeping records of criminals in State, and from other states, and to compare, classify, compile, publish, make available and disseminate such information to law enforcement officials, courts, or other officials requiring such criminal identification, crime statistics and other information respecting crimes local and national, and to conduct surveys and studies for the purpose of determining the source of any criminal conspiracy, crime wave, movement or cooperative action on the part of criminals. (2) Authorizes heads of law enforcement agencies to take photographs of any person charged with a felony or misdemeanor of maximum punishment greater than 6 months, and of any person who has been committed to jail or prison upon conviction of a crime or any person who such law enforcement official has reason to believe is a fugitive from justice or wanted by the FBI, SBI, or other law enforcement agency. (3) Authorizes heads of law enforcement agencies to take fingerprints and photographs of any person charged with a violation of any provision of Article 36A of GS Ch. 14 ("Riots and Civil Disorders"). (4) Provides fingerprints and photos shall not be taken of person charged with violation of any motor vehicle traffic ordinance or regulation or of any section of GS Ch. 20, not classified as a felony, except violations of GS 20-105 ("Unlawful taking of a vehicle"), 20-106 ("Receiving or transferring stolen vehicles"), 20-106.1 ("Fraud in connection with rental of motor vehicles"), 20-107 ("Injuring or tampering with vehicle"), 20-108 ("Vehicles without manufacturer's numbers"), and 20-109 (Altering or changing engine or other numbers"). (5) Provides no photographs taken pursuant to act shall be disseminated prior to trial of photographed person except where dissemination becomes necessary to assist in apprehension of such person for failure to appear at trial. (6) Provides photos taken to be returned to person upon his acquittal. (7) Limits use of photos taken pursuant to act to police identification and law enforcement purposes. (8) Makes wilful violation of limits placed by act on taking and use of fingerprints and photos a misdemeanor punishable by \$500 fine, 2 years imprisonment, or both.

S 399 Governmental employees-regulation (digested in Bulletin No. 62, p. 464)

Amendments adopted in Senate 6/9/71 (1) delete penalty provision making violation a misdemeanor; (2) make it state policy to receive employee suggestions and complaints concerning terms and conditions of public employment; (3) require governing authorities to establish procedures for orderly processing of employee suggestions etc.; and (4) provides nothing shall be construed to conflict with GS 95-98.

S 460 Water, air res.-interest conflict (digested in Bulletin No. 70, p. 546)

Committee Substitute adopted in Senate 6/9/71 makes following changes: (1) deletes requirement one member of Bd. be meteorologist; (2) specifies members appointed as agriculture researcher have experience in field of air and water pollution problems associated with agriculture; (3) reduces required number of engineers from three to one; (4) adds requirement one member be actively engaged in field of forestry management, one be actively connected with industrial production and have had experience in field of industrial air and water pollution control, two be actively connected and have had experience in pollution control problems of local government; (5) reduces public at large members from four to three and adds proviso that no public member shall be employee, officer or representative of any industry or political sub-division which may fall under jurisdiction or be directly affected by Bd.; (6) deletes interest conflict provisions from original bill; (7) specifies office of Bd. member is an office that may be held concurrently with any other elective or appointive office under Art. VI, Sec. 9 of NC Constitution; (8) makes effective date July 1, 1971.

HOUSE BILLS

H 186 Tax exempt military retired pay-3 (Iden. S 127, digested in Bulletin No. 22, p. 143)

Amendment adopted in House 6/9/71 makes bill effective with respect to income years beginning on and after January 1, 1972 (originally, Jan.1, 1971).

H 293 Lessor's liens, proceeds of sale (digested in Bulletin No. 31, p. 210; Committee Substitute adopted in House 5/20/71 digested in Bulletin No. 92, p. 789)

Amendment adopted in Senate 6/9/71 provides lessor to have lien on property 60 days (was 30 days) after tenant has vacated premises, and adds new provision for enforcement of lien by sale at public sale pursuant to provisions of GS 44A-4(d).

H 528 Driver point reduction-clinic (digested in Bulletin No. 53, p. 385)

Committee Substitute adopted in Senate 6/9/71 changes rewrite of last sentence of paragraph 6 of GS 20-16(c) to provide that any licensee who has accumulated as many as 7 points, or 4 points within a three year period (originally, 3 points, with no time limit) may attend driver improvement clinic and earn reduction of 3 points (same); provided, only one such reduction may be made within any 10 year (originally, 5 year) period. Adds amendment of second sentence of paragraph 6 of GS 20-16(c) providing DMV may request licensee attend a conference regarding licensee's driving record when he has accumulated as many as 7 points, or 4 points within a three year period (now, 7 points with no time limit).

H 548 Child abuse reporting (digested in Bulletin No. 56, p. 402; Committee Substitute digested in Bulletin No. 102, p. 915)

Amendments adopted in House 6/9/71: (1) delete penalty provision of \$50/30 days; (2) permit parents or caretakers contesting action under bill to request hearing before chief district court judge or some district court judge designated by him within judicial district wherein child resides or where hospital or institution is located for review and determination of whether child shall be returned to parents or caretaker; and (3) requires Dir. to make written report to district solicitor whether or not he finds any child abused and such report shall contain his findings along with a copy of the report of abuse.

H 650 Mining Act of 1971 (Iden. S 400) (digested in Bulletin No. 62, p. 464)

Amendment adopted in Senate 6/9/71 adds to bond forfeiture section a provision requiring that if the amount of the bond or other security filed is insufficient to

complete the required reclamation pursuant to the approved reclamation plan, the operator shall be liable to Dep't for any excess above the amount of the bond or other security which may be required to defray the cost of completing the required reclamation.

H 834 Farm land valuation-2 (Identical with S 523, digested in Bulletin No. 78, p. 627; amendments digested in Bulletin No. 105, p. 950)

Amendment adopted in House 6/9/71 adds requirement that application forms for classification of land as farmland include satisfactory evidence that appraisal and assessment on basis of true value in money will force conversion of land described to more intensive uses as result of economic pressures caused by assessment thereof at values incompatible with its preservation as such farmland.

H 1123 Moving live poultry and livestock (digested in Bulletin No. 98, p. 872)

Amendment adopted in House 6/9/71 clarifies exemption that bill shall not apply to transportation of poultry or livestock.

SENATE AND HOUSE

CALENDAR ACTION

JUN.09,1971

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 96 ENVIRONMENTAL BILL OF RIGHTS.(5/05, 6/09) H-COM AMEND ADOPTED.
 S. 195 LIVESTOCK LAW REWRITE.(3/25, 6/07) H-RE-REF COM ON JUDIC 1.
 S. 208 BEAR KILLING PENALTY.(4/20) H-RE-REF COM ON WILDLIFE.
 S. 227 ACCIDENT REPORTS,PARKED AUTOS. S-REPTD FAV AS AMENDED.
 S. 286 PHOTOGRAPHING DEFENDANTS.(6/09) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED; S-PLACED ON CAL JUNE 11.
 S. 363 UTILITIES COMM'N-CLARIFYING ACT. H-REC FROM SENATE; H-REF TO COM ON PUB UTIL.
 S. 367 UTILITIES COMM'N-SERVICE RESALE.(6/07) H-REC FROM SENATE; H-REF TO COM ON PUB UTIL.
 S. 370 UTILITIES COMM'N-EXEMPTION-2.(6/07) H-REC FROM SENATE; H-REF TO COM ON PUB UTIL.
 S. 399 GOVERNMENTAL EMPLOYEES-REGULATION.(6/09) S-COM AMENDS ADOPTED; S-PLACED ON CAL JUNE 14.
 S. 402 WORLD LAW AND ORDER.(6/08) S-PLACED ON CAL JUNE 10.
 S. 460 WATER,AIR RES.-INTEREST CONFLICT.(6/09) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
 S. 486 REFORMATORIES-LAW REWRITE. H-REPTD FAV AS AMENDED.
 S. 516 UNIV. STUDENT PUBL. FEES. S-PLACED ON CAL JUNE 14.
 S. 526 NC PROJECTS-LOCAL INSPECTION. H-REPTD FAV.
 S. 543 FORESTERS' REGISTRATION. S-RE-REF COM ON FINANCE.
 S. 550 ENG. AND LAND SURVEY LAW REWRITE.(6/07) S-RE-REF COM ON JUDIC 1.
 S. 579 TRANSFER OF RECORDED SOUNDS. H-REC FROM SENATE; H-REF TO COM ON JUDIC 1.
 S. 590 ABSENTEE VOTING IN PRIMARY. S-PLACED ON CAL JUNE 11.
 S. 599 TELEGRAPH ARRESTS-WARRANTS.(6/04, 6/07, 6/08) H-REC FROM SENATE; H-REF TO COM ON JUDIC 1.
 S. 621 LIMITED DRIVING-OLD CONVICTIONS. S-REPTD FAV.
 S. 650 DISTRIBUTING HARMFUL FOOD.(6/08) H-REC FROM SENATE; H-REF TO COM ON HEALTH.
 S. 683 COURTS COMM'N MEMBERS-TERMS. H-REPTD FAV.
 S. 699 PILOTS ASSOCIATION PENSION FUND. H-REPTD FAV.
 S. 701 CAPE FEAR RIVER PILOT FEES. H-REPTD FAV.
 S. 716 INDIGENT'S WAIVER OF COUNSEL. H-REPTD FAV.
 S. 723 ENFORCE MOBILE HOME STANDARDS. S-PLACED ON CAL JUNE 10.
 S. 746 NEXT FRIEND COSTS. S-PASSED 2ND & 3RD READING.

- S. 754 WORKMEN'S COMP.-TOTAL DISABILITY-2. S-PASSED 2ND & 3RD READING.
- H. 51 OPEN PUBLIC MEETINGS.(3/18, 3/23, 3/24, 6/03) S-PLACED ON CAL JUNE 10.
- H. 100 DAY-CARE FACILITIES-2.(6/01, 6/03) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.
- H. 186 TAX EXEMPT MILITARY RETIRED PAY-3.(6/09) H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING.
- H. 283 NARCOTIC DRUGS-VEHICLE CODE.(4/20, 5/05, 5/07, 5/10) S-PLACED ON CAL JUNE 11.
- H. 293 LESSOR'S LIENS,PROCEEDS OF SALE.(5/20, 6/09) S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- H. 294 DRUG LAW REVISION.(6/03, 6/07) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
- H. 487 OUT-OF-STATE COSTS-MENTALLY ILL. H-RE-REF COM ON APPROPN.
- H. 528 DRIVER POINT REDUCTION-CLINIC.(5/12, 6/09) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
- H. 548 CHILD ABUSE REPORTING.(6/03, 6/09, 6/09) H-FLOOR AMENDS ADOPTED; H-PASSED 2ND READING; H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING.
- H. 650 MINING ACT OF 1971.(5/27, 6/09) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- H. 694 DRIVER'S LICENSE RE-EXAM.(5/27) S-REPTD FAV.
- H. 727 NO LOITERING AT POLLS.(4/30, 5/13, 6/08) H-REC TO CONCUR S AMENDS; H-CONCURRED IN S AMENDS.
- H. 775 PROCESS SERVICE,COUNTER-CLAIMS.(5/07) S-PASSED 2ND & 3RD READING.
- H. 834 FARM LAND VALUATION-2.(6/08, 6/09) H-FLOOR AMEND ADOPTED; H-RE-REF COM ON JUDIC 2.
- H. 855 FORESTERS REGISTRATION.(5/27, 5/28) S-RE-REF COM ON FINANCE.
- H. 870 HOME HEALTH AGENCIES. S-PASSED 2ND & 3RD READING.
- H. 890 PHYSICIANS' ASS'TS REGISTRATION.(6/04) S-REC FROM HOUSE; S-REF TO COM ON PUB HLTH.
- H. 904 RELOCATION ASSISTANCE.(5/14) S-PASSED 3RD READING.
- H. 985 CONFORM GS 115 TO CONSTITUTION. H-REPTD FAV AS AMENDED.
- H.1002 TRAFFIC RULES-COMMUNITY COLLEGES. H-POSTPONED TO JUNE 17.
- H.1021 TAX EXEMPT MINISTER'S RESIDENCE.(6/07) S-REC FROM HOUSE; S-REF TO COM ON FINANCE.
- #H.1029 SOLICITOR NAME CHANGE. H-REPTD UNFAV.
- H.1045 FEE INCREASE FOR CERTIFIED COPY. S-REC FROM HOUSE; S-REF TO COM ON HY SAFTY.
- H.1073 CORRECTING GS 1A-1,RULE 55C. S-PASSED 2ND & 3RD READING.
- #H.1084 LANDLORD-TENANT JURISDICTION. H-POSTPONED INDEF.
- H.1094 MUTUAL INSUR. CO. DIRECTORS. H-REPTD FAV.
- H.1123 MOVING LIVE POULTRY AND LIVESTOCK.(6/09) H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING.
- H.1154 SCHOOL BOARD HEARINGS. H-REPTD FAV.
- H.1171 PUBLIC SCHOOL EVALUATION. H-REPTD FAV; H-RE-REF COM ON APPROPN.

LOCAL BILLS

- S. 616 (CUMBERLAND) CITY-COUNTY SCHOOL BOARD. H-REPTD FAV.

- S. 702 (MECKLENBURG) MIXED DRINKS-ELECTION.(6/03) H-REPTD FAV;
H-RE-REF COM ON FINANCE.
- S. 737 (DAVIE) AMENDING SL 1971,CH. 399. H-REPTD FAV.
- S. 741 (ROCKINGHAM) REIDSVILLE ABC BOARD. S-PLACED ON CAL JUNE 15.
- H. 955 (JOHNSTON) BENSON CHARTER REVISION.(6/04) S-REC FROM HOUSE;
S-REF TO COM ON LOC GOVT.
- H. 968 (LEE) SANFORD CHARTER,ABC,GOLF COMM'N.(5/28) S-PASSED 2ND &
3RD READING.
- H.1108 (CHEROKEE) MURPHY TOWN LIMITS.(6/04) S-REC FROM HOUSE; S-REF
TO COM ON LOC GOVT.

Next Sessions of Senate and House: 12 noon, Thursday, June 10, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

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BULLETIN NO. 107

-969-

THURSDAY, JUNE 10, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 772 Postal savings escheat
Introducer: Burney

GS 116
Sent to FINANCE

"To escheat postal savings system accounts." Declares that all postal savings system accounts, of which last known addresses of depositors are in NC, which have not been claimed before May 1, 1971, are presumed abandoned and shall escheat to State. Proceedings to escheat unclaimed accounts shall be brought in Superior Court of Wake County by State Treasurer for as many accounts as may be available for escheat at one time, with notice as follows: (1) letter by first class mail to be sent to depositors of accounts with balance of over \$25 advising them of pending proceedings; (2) general notice of intent to escheat accounts shall be published once each week for three successive weeks in one or more newspapers having general circulation throughout State; and (3) special notice of intent to escheat unclaimed accounts must be published once in each week for three successive weeks in newspaper published in county in which a post office holding any account is located, and this notice must list each unclaimed account having a balance of \$3 or more. State Treasurer to present copy of each final judgment of escheat to US Treasury for payments of principal and interest. Payment received to be deposited in State Escheat Fund. NC to indemnify US for any losses suffered under above proceedings.

S 773 Carolina Pop. Center funds
Introducer: Folger

APPROPRIATION
Sent to APPROPRIATION

"To appropriate funds for the Carolina Population Center." Appropriates from General Fund to UNC-CH, Division of Health Affairs, \$220,934 for 1971-73 biennium for partial operational support of Carolina Population Center for demographic research, to study and analyze population and related problems of State growth. Requires Center make report of its activities to 1973 General Assembly. Effective July 1, 1971.

S 774 Animal Waste Pollution Control Act
Introducer: Allen (Iden. H 1229)

GS 143
Sent to AGRICULTURE

"To control pollution from animal and poultry production units." Identical with H 1229 digested in House section of today's Bulletin.

S 774 Interstate Environmental Compact
Introducer: Allen (Iden. H 1230)

GS 143
Sent to CONS & DEV

"Entering into the Interstate Environmental Compact and for related purposes." Identical with H 1230 digested in the House section of today's Bulletin.



HOUSE

H 1218 (Joint Resolution) Congratulating Carl Goerch MISC RES
Introducers: Quinn and others Passed three readings
and sent to Senate

"Congratulating Carl Goerch on his eightieth birthday." As title indicates.

H 1219 (Joint Resolution) Honoring J. Herman Leder MISC RES
Introducer: Soles Passed three readings
and sent to Senate

"In recognition of the contributions of J. Herman Leder." As title indicates.

H 1220 Sterilization of mental defectives GS 35
Introducer: H. Rountree Sent to JUDIC 1

"To rewrite Chapter 35, Article 7, of the General Statutes entitled 'Persons with Mental Diseases and Incompetents.'" Generally revises cited Article, (which provides procedure for sterilization of mental defectives), modernizing terminology and substituting filing of petition before District Court, with hearings and judgment by District Court, for present procedure before State Eugenics Board. Deletes present provisions of Article for creation and organization of State Eugenics Board and its Secretary. Makes law applicable to mentally ill or retarded persons. Spells out procedure for filing of petition before District Court, for ordering of investigation by Judge, for hearing before District Court, and for appeals to Superior Court (trial de novo) and beyond. Specifically provides for right of counsel. Provides that sterilization procedure to be performed after judgment of District Court or Superior Court becomes final. Effective Jan. 1, 1972.

H 1221 6-12 member civil jury-const. amd. CONSTITUTION, GS 1A
Introducer: M. Smith Sent to CONSTUTN

"To amend the Constitution of North Carolina, as amended effective July 1, 1971, to provide for juries of not less than six or more than twelve persons in civil cases." As title indicates, provides for submitting proposed amendment to voters at next general election.

H 1222 6 member civil jury GS 1A
Introducer: M. Smith Sent to COURTS

"To provide for juries of six persons in civil cases." Amends GS 1A-1, Rule 38(a) to provide that a civil jury shall consist of six persons. Effective on same day constitutional amendment proposed by H 1221 becomes effective.

H 1223 Selection of school textbooks
Introducer: McDaniel

GS 115
Sent to EDUCATN

"To repeal Article 25A of the North Carolina General Statutes to provide for selection of textbooks by local boards of education." Repeals Art. 25A, GS Ch. 115 (selection of textbooks by St. Bd. of Education upon recommendation of Textbook Comm'n). Adds new Art. 25 providing for a 12 member textbook comm'n composed of teachers and principals and at least one superintendant to be appointed by Gov. for four-year terms. Comm'n to evaluate books in common usage or offered for common usage in elementary and high schools and to make written evaluation reports of each book. Reports to be available to all local bds. of education but shall be advisory only and not binding on local bds. Each local bd. of ed. given complete authority to select and adopt textbooks for schools under its authority from a list of books registered by publishers with the St. Superintendent of Public Instruction. The registration list must also contain the names of agents and employees representing publisher in NC. Local bds. may acquire books by contract and must provide for the free use of the books; no rental charge may be imposed but damage fees may be changed under rules promulgated by St. Bd. of Education.

H 1224 Preparation of jury lists
Introducer: Green

GS 9
Sent to COURTS

"To amend G.S. 9-2 relating to the sources of names in the preparation of jury lists." Adds provision to GS 9-2 authorizing (after July 1, 1971) jury comm'n in preparing list of prospective jurors to use any names appearing in jury box of prospective jurors for preceding biennium which were not drawn out and called for jury duty during last biennium.

H 1226 DMV and SBI cooperation
Introducers: Rogers and Mason

GS 114
Sent to HY SAFTY

"To amend Chapter 114 of the General Statutes to provide for cooperation between the North Carolina Department of Motor Vehicles and the North Carolina State Bureau of Investigation regarding motor vehicle operator's license and registration plates." Adds new GS 114-17.1 to authorize Dep't of Motor Vehicles to issue operator's license and registration plates to undercover agents of SBI under assumed names with false or fictitious addresses. Provides that Director of SBI shall be responsible for use of such licenses and plates, and shall return them to DMV for cancellation upon request.

H 1227 Cosmetic Art Bd. Ex's salaries
Introducers: Andrews and L. Ramsey

GS 88
Passed three readings
and sent to Senate

"To provide that the salaries of the Executive Secretary and inspectors of the Board of Cosmetic Art Examiners be set under the provisions of the State Personnel Act." Amends GS 88-14 and 88-15 to provide salaries of executive secretary and inspectors be fixed by State Personnel Dep't (now, salaries set by Bd. with approval of Dir. of Budget).

H 1228 Replacing property tax
Introducer: Hunt

GS 105
Sent to FINANCE

"Providing for the replacement of property taxes on habitable property and certain personal property with a tax on total gross income: defining habitable property, and providing for withholding." Inserts a new article in Ch. 105 following article on withholding of State income tax entitled "Property Tax Replacement." Provides that all counties may "purge from their records listings of habitable property, and requires each natural person in each county to file an annual return stating his gross income, and to pay a tax not to exceed 3% thereon on all gross income in excess of \$200 (apparently). Provides that all employers are to withhold 1% of wages, to be remitted to Comm'r of Revenue pursuant to procedures similar to State income tax withholding. Monies collected to be held in trust for counties. Defines "habitable property" as "urban and rural building, etc.," together with "supplementary buildings," "used or intended for human habitation on a regular, full-time basis," together with "land occupied by the building not exceeding a typical town or city lot." Defines "gross income" as all income, with no deductions. Makes no amendments to the Machinery Act, which requires listing and taxation of all property not otherwise classified or exempt from property taxes. Effective Jan. 1, 1972.

H 1229 Animal Waste Pollution Control Act (Iden. S 774) GS 143
Introducer: Bryan

Sent to WATER

"To control pollution from animal and poultry production units." Requires that animal or poultry production units shall be operated in such manner that: (1) no animal wastes are discharged in waters in violation of water quality standards applicable to stream; (2) foul or noxious odors caused by unit are minimized; and (3) insects, vermin or pests bred in or attracted to operation are suppressed. Empowers Board of Water & Air Resources to adopt rules and regulations governing operation of production units in order to gain compliance with requirements stated above, to require construction of disposal systems necessary to control pollution from production units, to require control of odors and suppression of insects, vermin or pests, and to inspect production units in order to insure compliance with act and regulations adopted thereunder. Requires operators of production units to file, on or before Jan. 1, 1971, with Bd. plans for control of animal waste discharges, reductions of noxious odors, and suppression of insects and vermin, such plan to cover both present and projected facilities. Requires Bd. of Water & Air Resources to conduct survey of extent of animal pollution problem in State within 12 months after effective date of act, and requires all persons operating animal or poultry production units to submit plan for control of wastes, odors, and pests on or before Jan. 1, 1973. Provides for advisory committee to assist and advise Bd. in administering the act. Authorizes injunctive relief for enforcing act, and provides that willful violation of act or rules or regulations is misdemeanor punishable by imprisonment for 60 days or fine of up to \$500, or both, in discretion of court. Grants Bd. right of entry for purposes of inspection and enforcement. Defines "animal or poultry production unit" to mean any place for confined feeding or holding of animals or poultry, and defines several other terms used in Act. Effective July 1, 1971.

H 1230 Interstate Environmental Compact (Iden. S 775)
Introducer: Bryan

GS 143
Sent to WATER

"Entering into the Interstate Environmental Compact and for related purposes." Enacts Interstate Environmental Compact and enters NC into Compact along with other state signatories for purposes of engaging in cooperative efforts in environmental problems. Sets forth provisions of Compact:

(1) defines key terms; (2) authorizes signatory states to participate in cooperative or joint undertakings for protection of interstate environment with federal government or any intergovernmental or interstate agencies; (3) recognizes existing non-environmental intergovernmental arrangements not affected by Compact; (4) expressly recognizes existing intergovernmental agreements directed to environmental objectives so that nothing in Compact shall diminish or supersede same; (5) clarifies Compact not to affect modification of existing or formation of future multi-state commissions or interstate compacts; (6) authorizes supplementary agreements between states to extent not in conflict with purposes of Compact; (7) authorizes complementary legislation by signatories' legislatures; (8) does not impair exercise by any signatory of its legal rights or remedies under US Constitution; (9) provides for amendments to Compact by legislative action initiated by any signatory and effective when concurred in by all signatories and approved by Congress; (10) permits withdrawal of signatory after one year notice to all other signatories by act of its legislature; and (11) provides for Compact to be effective upon signatory when enacted into law by its legislature.

H 1231 Exempt charitable insurers
Introducer: Twiggs

GS 58
Sent to INSUR

"To amend Article 18A and Article 18B of Chapter 58 of the General Statutes of North Carolina to exempt insurers of charitable property from participation in beach and fair plans." As title indicates, exempts from provisions of GS 58-173.3 ("North Carolina Insurance Underwriting Association created") and GS 58-173.19 ("Participation in association") insurers writing property insurance only on property exempted from property taxation by the provisions of GS 105-296 ("Real property exempt") and GS 105-297 ("Personal property exempt").

H 1232 Zoo Authority personnel
Introducer: Twiggs

GS 143
Sent to ST GOVT

"Relating to the State Zoological Authority Advisory Board." Provides that Advisory Board consist of not less than 60 nor more than 100 persons (now, sixty only).

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 1225 Cussing on highways
Introducers: Burrus and Roberson

TYRRELL
Sent to LOC GOVT

"To remove Tyrrell County from the exemptions of G.S. 14-197 relating to the use of profane or indecent language on public highways." As title indicates.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 96 Environmental bill of rights (digested in Bulletin No. 15, p. 97; Committee Substitute digested in Bulletin No. 81, p. 666; amendments digested in Bulletin No. 106, p. 962)

Amendment adopted in House 6/10/71 changes language of second paragraph of proposed amendment to NC Constitution by adding requirement that "State Nature and Historic Preserve" shall not be used for other purposes except as authorized by law enacted by a vote of three-fifths of the members of each house of the General Assembly. (Amendment adopted 6/9/71 required law be enacted by two successive regular sessions of General Assembly.)

S 227 Accident reports, parked autos (digested in Bulletin No. 39, p. 275)

Amendment adopted in Senate 6/10/71 rewrites GS 20-166(b) to: (1) provide that driver of vehicle damaging a guard rail, utility pole, or other fixed object owned by the State Highway Comm'n, a public utility, or other public service corp. to which report cannot readily be made at the scene may report damage to nearest peace officer or make written report to DMV by certified mail within 24 hours, and to make violation of reporting provisions of GS 20-166(b) a misdemeanor punishable by fine, imprisonment up to 2 years, or both; and (2) amends rewrite of GS 20-166(b) and 20-166(c) to require within 48 hours (was 24 hours) report of collision with unoccupied vehicle to owner of vehicle.

S 723 Enforce mobile home standards (digested in Bulletin No. 99, p. 883)

Amendments adopted in Senate 6/10/71: clarify definitions of mobile home as one on semipermanent foundation having measurement of over 32 ft. in length and over 8 ft. in width (now measurements not specified) and expand prohibition on sale to cover person and partnership as well as firm or corporation.

HOUSE BILLS

H 51 Open public meetings (digested in Bulletin No. 7, p. 39; H Committee Substitute digested in Bulletin No. 47, p. 341; S Committee Substitute digested in Bulletin No. 102, p. 913)

Amendment to Senate Committee Substitute adopted in Senate 6/10/71 adds new subsection GS 143-318.3(c) providing that when any county or municipal governing bd. or bd. of education is faced with riot or other civil disorder it may hold private sessions with law enforcement officers and other persons it wishes to invite, and exclude other members of public, to consider appropriate action to deal with emergency.

H 630 Mass gatherings-regulations (digested in Bulletin No. 62, p. 465; Committee Substitute digested in Bulletin No. 103, p. 928)

Amendment adopted in House 6/10/71 amends definition of mass gathering to mean congregation or assembly in which admission is charged in reasonable contemplation of profit of more than 5000 people (originally, no reference to charging admission or profit) and adds new section requiring St. Health Director within 10 days after receipt of application for mass gathering permit to review application and inspect proposed site of gathering. Authorizes provisional permit to be issued if it reasonably appears requirement of article can be met by applicant.

H 670 (CUMBERLAND) Local gov't study comm'n (digested in Bulletin No. 63, p. 484)

Committee Substitute adopted in House 6/10/71 greatly expands original bill. Creates comm'n to study powers, duties and functions of all local governmental units and agencies in Cumberland, prepare report on its findings, and prepare any legislation, including drafts of charter, necessary to implement its recommendations. Sets forth membership of 24 member comm'n method of appointment, compensation, organization, procedure for meetings, means of financing and staffing comm'n, and clause requiring cooperation of all local governmental units and agencies in Cumberland in work of comm'n.

H 892 Defacing highway signs (digested in Bulletin No. 83, p. 686)

Committee Substitute adopted in House 6/10/71 alters original bill to require showing of willful defacement for conviction, and to add provision that any person having a highway sign in his possession "without just cause or excuse" is guilty of misdemeanor.

H 948 Hospital Authorities Law rewrite (digested in Bulletin No. 87, p. 735)

Committee Substitute adopted in House 6/10/71 makes following changes:

(1) Deletes references to population limits and specific cities in which Hospital Authorities Law is applicable; (2) makes more extensive definition of "hospital facilities" and deletes definition of "hospital project"; (3) provides an authority shall not have more than 30 (was 18) directors; (4) adds provision that hospital may fix charges for use of hospital facilities; (5) requires all bonds issued by authority to receive prior approval by Local Government Comm'n (originally, authority could choose whether sale should be made by Local Gov't Comm'n under provisions of GS 160-421 or by authority itself after prescribed public notice); (6) deletes proposed GS 131-112 ("Certificate of public convenience and necessity prerequisite to exercise of power of eminent domain; powers of Utilities Commission") and GS 131-113 ("Exemption from the Local Government Act, and from The County Fiscal Control Act"), renumbering subsequent sections accordingly.

SENATE AND HOUSE

CALENDAR ACTION

JUN.10,1971

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 96 ENVIRONMENTAL BILL OF RIGHTS.(5/05, 6/09, 6/10) H-FLOOR AMEND ADOPTED.
 S. 227 ACCIDENT REPORTS,PARKED AUTOS.(6/10) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
 S. 274 POLICE OFFICERS,DEATH BENEFITS. S-REPTD FAV AS AMENDED.
 S. 332 EXCISE STAMP TAX ON CONVEYANCES.(6/04) H-REC FROM SENATE; H-REF TO COM ON FINANCE.
 S. 402 WORLD LAW AND ORDER.(6/08) S-PLACED ON CAL JUNE 14.
 S. 460 WATER,AIR RES.-INTEREST CONFLICT.(6/09) S-PASSED 2ND READING; S-PLACED ON CAL JUNE 14.
 S. 473 CAPITAL CRIME GUILTY PLEA.(5/19) H-REPTD FAV.
 S. 490 ABOLISHING GOV'TAL. IMMUNITY. S-REPTD FAV; S-PLACED ON CAL JUNE 15.
 S. 502 AMENDING ANATOMICAL GIFT ACT. S-REPTD FAV AS AMENDED.
 S. 562 NOT ON SUNDAY. S-REPTD AMENDED W/O PREJUD; S-PLACED ON CAL JUNE 15.
 S. 570 NC SEED LAW REVISIONS. H-REPTD FAV.
 S. 574 REGULATING UNC UTILITIES. H-POSTPONED TO JUNE 16.
 S. 575 EXTENDING UNC UTILITIES. H-POSTPONED TO JUNE 16.
 S. 576 BONDS FOR UNC UTILITIES. H-POSTPONED TO JUNE 16.
 S. 581 HANDLERS OF FARM PRODUCTS.(5/21, 5/26) H-REPTD FAV.
 S. 595 TECHNICAL CORRECTIONS-GEN. STATS.. S-REPTD FAV AS AMENDED.
 #S. 609 INTERNATIONAL COOPERATION COMM'N.(5/28, 6/04) RATIFIED CH. 532.
 S. 621 LIMITED DRIVING-OLD CONVICTIONS. S-PASSED 2ND & 3RD READING.
 S. 628 PUB. BLDGS.,SYSTEMS MGMT. LAWS. S-REPTD FAV AS AMENDED; S-PLACED ON CAL JUNE 14.
 S. 650 DISTRIBUTING HARMFUL FOOD.(6/08) H-REPTD FAV.
 S. 656 OFF-SITE COMPONENTS APPROVAL. S-REPTD FAV.
 S. 669 TRANSIT SYSTEM FUEL TAX REFUNDS. S-REPTD FAV AS AMENDED.
 S. 670 TRANSIT SYSTEM FRANCHISE TAX REDUC.. S-REPTD FAV AS AMENDED.
 #S. 695 LANDLORD-TENANT JURISDICTION.(6/07) RATIFIED CH. 533.
 S. 698 CHARITABLE GROUPS TAX EXEMPTION.(6/07) H-REC FROM SENATE; H-REF TO COM ON FINANCE.
 S. 711 JUDGMENTS IN DIVORCE ACTIONS. S-REPTD FAV AS AMENDED.
 S. 712 LICENSE PLATES-CITIZENS RADIO. H-REPTD FAV AS AMENDED.
 S. 723 ENFORCE MOBILE HOME STANDARDS.(6/10) S-COM AMENDS ADOPTED; S-PASSED 2ND READING.
 S. 726 CPA CERTIFICATE FEES. S-REPTD FAV.

- S. 746 NEXT FRIEND COSTS. H-REC FROM SENATE; H-REF TO COM ON COURTS.
- S. 754 WORKMEN'S COMP.-TOTAL DISABILITY-2. H-REC FROM SENATE; H-REF TO COM ON MFR LABR.
- S. 760 (J.RES.) MEMORIALIZING RALPH W. SLATE. S-REPTD FAV.
- S. 763 MOVING MOBILE HOMES. S-REPTD FAV.

- H. 51 OPEN PUBLIC MEETINGS.(3/18, 3/23, 3/24, 6/03, 6/10) S-FLOOR AMEND ADOPTED; S-PLACED ON CAL JUNE 11.
- H. 82 AUTO INSURANCE RATES,AGE-1. H-REPTD UNFAV-MIN REPORT; H-MIN REPORT ADOPTED.
- H. 83 AUTO INSURANCE RATES,AGE-2. H-REPTD UNFAV-MIN REPORT; H-MIN REPORT ADOPTED.
- H. 86 CENSURE,REMOVAL OF JUDGES. S-REPTD FAV.
- H. 87 JUDICIAL STANDARDS COMMISSION.(5/25) S-REPTD FAV AS AMENDED.
- #H. 118 DETERGENTS NUTRIENT CONTROL. H-REPTD UNFAV.
- H. 153 MUNICIPAL LAW REVISION.(6/04) H-PASSED 2ND READING; H-PLACED CAL FOR JUNE 15.
- H. 186 TAX EXEMPT MILITARY RETIRED PAY-3.(6/09) H-PASSED 3RD READING.
- H. 293 LESSOR'S LIENS,PROCEEDS OF SALE.(5/20, 6/09) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- #H. 332 JOINT TENANCY IN STOCKS.(5/11) S-REPTD UNFAV.
- #H. 356 FUNERAL EXPENSE ALLOWANCE. H-REPTD UNFAV.
- #H. 476 MUNICIPAL ANNEXATION. H-REPTD UNFAV.
- H. 528 DRIVER POINT REDUCTION-CLINIC.(5/12, 6/09) S-PASSED 2ND & 3RD READING.
- H. 548 CHILD ABUSE REPORTING.(6/03, 6/09, 6/09) S-REC FROM HOUSE; S-REF TO COM ON RESOURCE.
- H. 572 EXEMPTING EMCS AND TMCS. S-REPTD FAV.
- H. 630 MASS GATHERINGS-REGULATION.(6/04, 6/10) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 650 MINING ACT OF 1971.(5/27, 6/09) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- H. 694 DRIVER'S LICENSE RE-EXAM.(5/27) S-PASSED 2ND & 3RD READING.
- H. 709 COASTAL FISHERIES ASSESSMENTS. H-PASSED 2ND READING.
- H. 717 NO DRIVING AFTER DRINKING.(6/01) H-RE-REF COM ON JUDIC 1.
- #H. 727 NO LOITERING AT POLLS.(4/30, 5/13, 6/08) RATIFIED CH. 537.
- H. 747 ASSAULT LAW REWRITE-2.(6/07) S-PLACED ON CAL JUNE 14.
- #H. 771 EXPLOSIVES LICENSE REPEAL. H-REPTD UNFAV.
- #H. 775 PROCESS SERVICE,COUNTER-CLAIMS.(5/07) RATIFIED CH. 538.
- H. 817 STUDY COMM'N,UNC UTILITIES. H-POSTPONED TO JUNE 16.
- H. 818 REGULATING UNC UTILITIES. H-POSTPONED TO JUNE 16.
- H. 819 BONDS FOR UNC UTILITIES. H-POSTPONED TO JUNE 16.
- H. 820 EXTENDING UNC UTILITIES. H-POSTPONED TO JUNE 16.
- #H. 847 GRANTOR INDEX-ENTRY OF SATISFACTION. H-REPTD UNFAV.
- #H. 848 FORECLOSURE NOTICE-MICROFILM. H-REPTD UNFAV.
- H. 858 PORTS AUTHORITY EARNINGS. S-REPTD FAV.
- #H. 870 HOME HEALTH AGENCIES. RATIFIED CH. 539.
- H. 882 REGULATING UNC UTILITIES. H-POSTPONED TO JUNE 16.
- H. 892 DEFACING HIGHWAY SIGNS.(6/10) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.

- #H. 904 RELOCATION ASSISTANCE.(5/14) RATIFIED CH. 540.
- H. 912 NC SEED LAW REVISIONS. H-REPTD FAV.
- #H. 913 NURSE PRACTICE ACT FEES. RATIFIED CH. 534.
- H. 940 CURB SIDE VOTING-DISABLED. H-REPTD FAV AS AMENDED.
- H. 948 HOSPITAL AUTHORITIES LAW REWRITE.(6/10) H-REPTD FAV COM
SUBSTITUTE; H-COM SUBSTITUTE ADOPTED; H-PLACED CAL FOR JUNE
16.
- #H. 950 VOTING ON 18-YEAR VOTE. RATIFIED CH. 535.
- #H. 997 DRUG LAW REVISION-2. H-REPTD UNFAV.
- #H.1003 CAPITAL,SURPLUS-INSUR. CO..(5/28) RATIFIED CH. 536.
- H.1009 CORRECTING ADMINISTRATORS' TITLES. S-REPTD FAV.
- #H.1019 MARRIAGES-NOTARIES PUBLIC. H-REPTD UNFAV.
- H.1020 LICENSE TAXES-CAMPGROUNDS.(6/03) S-REPTD FAV.
- H.1021 TAX EXEMPT MINISTER'S RESIDENCE.(6/07) S-REPTD FAV.
- H.1027 LICENSE FEE-CHIROPRACTOR. S-REPTD FAV.
- H.1042 DENTISTRY LAW REVISION.(6/04) S-REPTD FAV; S-RE-REF COM ON
FINANCE.
- H.1043 DENTAL HYGIENE LAW REVISION.(6/04) S-REPTD FAV; S-RE-REF COM
ON FINANCE.
- H.1062 DISCOVERY OF INSURANCE INFORMATION. H-REPTD FAV.
- #H.1073 CORRECTING GS 1A-1,RULE 55C. RATIFIED CH. 542.
- H.1081 NO DISCRIMINATION HANDICAPPED. H-REPTD FAV.
- H.1088 COUNTY LANDFILL FUNDS. S-REPTD FAV.
- H.1098 LICENSE PLATES-CITIZENS RADIO. H-REPTD FAV AS AMENDED.
- H.1099 NC HOUSING CORPORATION ACT-AMEND. H-REPTD FAV.
- H.1102 HUSBAND-WIFE TORT ACTIONS. H-REPTD FAV.
- H.1113 AUTO REGISTRATION TRANSFER. H-REPTD FAV.
- #H.1121 REGISTERED INSTRUMENTS-INDEXES. H-REPTD UNFAV.
- H.1123 MOVING LIVE POULTRY AND LIVESTOCK.(6/09) S-REC FROM HOUSE;
S-REF TO COM ON AGRICULT.
- H.1136 (J.RES.) MEMORIALIZING BRANTLEY. S-REPTD FAV.
- H.1143 PLACING WASTE IN STATE WATERS. H-REPTD FAV.
- H.1188 TRENT RIVER HUNTING. H-REPTD FAV.
- H.1201 NO TAKING ALLIGATORS. H-REPTD FAV.
- H.1218 (J.RES.) CONGRATULATING CARL GOERCH. H-PASSED 2ND & 3RD
READING; S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 467 (ONSLow) SWANSBORO CHARTER REVISION.(6/01) H-REPTD FAV.
- S. 616 (CUMBERLAND) CITY-COUNTY SCHOOL BOARD. H-PASSED 2ND READING.
- S. 647 (BUNCOMBE) ASHEVILLE AG. DEVELOPMENT FUNDS. H-REPTD FAV.
- S. 707 (NEW HANOVER) RESTRICT FOX HUNTING.(6/03) H-REPTD FAV.
- S. 737 (DAVIE) AMENDING SL 1971,CH. 399. H-PASSED 2ND & 3RD READING.
- #H. 569 (WILKES) SQUIRREL SEASON. H-REPTD UNFAV.
- H. 658 (CARTERET) EMERALD ISLE CORPORATE LIMITS. H-REPTD FAV.
- #H. 661 (LENOIR) KENNEL TAX. H-REPTD UNFAV.
- H. 670 (CUMBERLAND) LOCAL GOV'T STUDY COMM'N.(6/10) H-REP FAV COM
SUB AS AMEND; H-COM SUBSTITUTE ADOPTED.

#H. 968 (LEE) SANFORD CHARTER,ABC,GOLF COMM'N.(5/28) RATIFIED CH.
541.
H.1148 (CUMBERLAND) FAYETTEVILLE FIREMEN'S FUND. H-REPTD FAV.
H.1149 (WAKE) KNIGHTDALE POLICE FIRE POWERS. H-REPTD FAV.
H.1150 (ROCKINGHAM) REIDSVILLE ABC PROFITS. H-REPTD FAV.
H.1159 (PITT) FARMVILLE CHARTER. H-REPTD FAV AS AMENDED.
H.1161 (HECKLENBURG) CHARLOTTE AIR RIGHTS OVER STREETS. H-REPTD FAV.
H.1162 (IREDELL) STATESVILLE REALTY,UTILITIES SALE. H-REPTD FAV.
H.1202 (ASHE) PAVING GARBAGE DUMP ROAD. H-REPTD FAV.

Next Session of House: 9:30 a.m., Friday, June 11, 1971.

Next Session of Senate: 10:00 a.m., Friday, June 11, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

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BULLETIN NO. 108

-981-

FRIDAY, JUNE 11, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 776 Locating elevator wiring diagrams
Introducer: Coggins

GS 143
Sent to MFG LABR

"To require placing of a copy of the wiring diagram of an elevator within the machine room of a building in which the elevator is located." Adds new GS 143-143.3 requiring that wiring diagrams of elevators, dumbwaiters, escalators and moving walks operated in NC, other than in private residences, conform to State Building Code. Requires that persons or firms installing or servicing such elevators, etc., must furnish accurate and complete wiring diagram of equipment to owner of building in which it is located; owner to maintain diagram in a safe location in building's machinery room.

S 777 Beer-wine permit fees
Introducer: Knox

GS 18, 18A
Sent to FINANCE

"To amend General Statutes Chapters 18 and 18A relative to beer and wine permit fees." Provides that if S 107 (Liquor law revision) is not enacted by 1971 General Assembly, then GS 18-132.1(1) is amended to require application fee for original permit to sell beer or wine of \$100 (now \$25), and to require fee of \$150 (now \$25) if applications for beer and wine permit are filed at same time for same location. Annual renewal fees for these permits shall be 50% of original permit fee set forth above (new). Provides that Sec. 18A-39(c)(1) of S 107, if ratified, shall contain same fees as above (committee substitute of S 107 now provides for same \$25 fees as are contained in present GS 18-132.1). Effective May 1, 1972.

S 778 Brown bag permit fee
Introducer: Knox

GS 18, 18A
Sent to FINANCE

"To amend General Statutes Chapters 18 and 18A relative to the renewal fee for a brown bag permit." Provides that if S 107 (Liquor law revision) is not enacted by the 1971 General Assembly, then GS 18-51(8)f is amended to require annual renewal fees for brown-bagging permits of 50% of original permit fee (now requires renewal fee of 25%). Provides that Sec. 18A-31(b)(6) of S 107, if ratified, is amended by requiring annual renewal fee for brown-bagging permit same as set forth above (committee substitute of bill now requires same fee as present GS 18-51(8)f). Effective May 1, 1972.

S 779 Fortified wine tax
Introducer: Knox

GS 18, 18A, 105
Sent to FINANCE

"To amend General Statutes Chapters 18, 18A, and 105 concerning the tax on fortified wines." Provides that if S 107 (Liquor law revision) is not enacted by the 1971 General Assembly, then GS 18-39(3) is amended to remove the five cents per



bottle tax on fortified wines, and GS 18-85.1 is amended to increase the tax imposed by that section on fortified wines from 70¢ to 95¢ per gallon. Makes similar changes in Sec. 18A-15(3) of S 107, if enacted, and in GS 105-113.95. Effective May 1, 1972.

S 780 State ABC funds
Introducer: Knox

APPROPRIATION, GS 18, 18A
Sent to APPROPN

"To make an appropriation to the State Board of Alcoholic Control." Provides if S 107 (Liquor law revision) is not enacted by 1971 General Assembly, then rewrites GS 18-90 making appropriation from General Fund for use of State ABC Bd. not less than 2% or more than 3% of total excise tax received from intoxicating liquor paid into General Fund (now, 3% of total revenue collections under Article 4 of GS Ch. 18). Provides appropriation shall be computed after distribution to counties and municipalities as provided in GS 18-81 (now, expended under Budget Bureau allotments for administration of Art. 4). Permits Budget Division to estimate yearly revenue and make advance apportionment based thereon.

Provides for same amendments to S 107 if it is enacted, by adding new GS 18A-59. Effective July 1, 1972.

S 781 Net profits-ABC taxes
Introducers: Knox and others

GS 18, 105
Sent to ABC

"To amend General Statutes Chapters 18 and 105 relative to the definition of net profits." Provides that if S 107 (Liquor law revision) is not enacted by the 1971 General Assembly, then GS 18-85(a) is amended by adding at the end thereof a definition of net income for purposes of that subsection (retail tax on spiritous liquors) as being those net profits derived after all taxes and expenses, except law enforcement and alcoholism education, research and rehabilitation expenses, have been deducted. Makes similar change in Sec. 105-113.93 of S 107, if enacted. Effective May 1, 1972.

S 782 Wildlife Comm'n appointments (Iden. H 1237)
Introducer: Flaherty

GS 143
Sent to WILDLIFE

"Amending G.S. 143-241 relating to the manner in which appointments are made by the Governor to the Wildlife Resources Commission." Identical with H 1237 digested in House section of today's Bulletin.

S 783 State Goals and Policy Council
Introducer: Allen

GS 143
Sent to CONS & DEV

"To establish the North Carolina Council on State Goals and Policy." Adds new Art. 54 to GS Ch. 143 establishing in Dep't of Admin. NC Council on State Goals and Policy, composed of 15 members appointed by Governor for 4-yr. staggered terms (membership not incompatible with Art. VI, Sec. 9 of NC Constitution regulating double office holding). Provides Governor serve as Chairman, per diem allowances for members under GS 138-5, and staffing by Dep't of Admin. Prescribes duties of Council: (1) express needs and aspirations of NC citizens and identify goals proposed for State action along with suggested timetable for reaching same; (2) study resources and means of action available to State government and recommend policies to guide State in using resources, means to achieve State goals, suggest short-run goals consistent with long-run goals which should receive priority within 3-5 year frame; (3) identify areas of public interest where needs are urgent or present policies inadequate and make recommendations for alternative courses of action; (4) evaluate present structure and activities of State government; (5) inform public of main problems facing State;

(6) submit report to Governor by Nov. 30 each year to guide in preparation of "State of State" message. Requires every agency and department of Executive Branch provide Council upon request any information in possession.

S 784 Spoiled shellfish seizure
Introducer: Mills

GS 130
Sent to PUB HLTH

"To provide for the embargo, seizure and disposition of unsafe foods."

Adds new GS 130-204.1 to provide whenever a representative of the St. Bd. of Health finds or has reasonable grounds to believe that any shellfish, crustacea, or scallops are spoiled, contaminated, or otherwise unsafe for human consumption, or in violation of regulations adopted under Arts. 14A or 14B, he may embargo or seize the materials. Gives procedures for marking seized items. Bd. of Health representative shall petition District Court for order of condemnation of seized property and upon order of court shall destroy or otherwise dispose of materials at expense of owner or person in charge thereof.

HOUSE

H 1233 Amend Livestock Markets Act (Iden. S 761)
Introducer: Messer

GS 106
Sent to AGRICULT

"Amending Article 35 of Chapter 106 relating to public livestock markets."

Identical with S 761, digested in Bulletin No. 106, p. 955.

H 1234 (Joint Resolution) Independent audit-Highway Comm'n
Introducer: J. C. Johnson and Holshouser

MISC RES, GS 136, STUDY
Sent to RULES

"Joint resolution directing the Speaker of the House and the Lieutenant Governor to obtain the services of an independent private auditing firm to audit the records and to make a study of accounting procedures of the State Highway Commission and to report to the 1973 General Assembly." As title indicates, requires audit be made and report (including recommendation for administrative and procedural changes for improvement of Comm'n's efficiency) be made to next General Assembly, audit and report to be paid for out of State Highway Fund.

H 1235 Teachers' term, pay-2
Introducer: Stewart

APPROPRIATION, GS 115
Sent to APPROPRN

"To provide ten calendar months employment for certified teachers and to appropriate funds to provide for this purpose." Appropriates from General Fund \$31,588,028 for fiscal 1972-3 to be used for extending term of employment for certified teachers to ten months for second year of biennium. Ten months of employment to include paid vacation, legal holidays, and additional days of sick leave. Vacation computed as 1.25 days per month employed and sick leave computed as .833 days per month employed. Effective July 1, 1971.

H 1236 Reckless driving revocation
Introducers: McDaniel and others

GS 20
Sent to HY SAFETY

"To provide a six months' revocation of driving privilege upon conviction of careless and reckless driving." Rewrites GS 20-17(6) to provide for six months' revocation period upon conviction, or forfeiture of bail not vacated, upon charge of reckless driving. (Now, provides for revocation upon conviction of two charges of reckless driving committed within period of twelve months, but specifies no term limit for revocation). Effective July 1, 1971.

H 1237 Wildlife Comm'n appointments (Iden. S 782)
Introducer: Taylor

GS 143
Sent to WILDLIFE

"Amending G.S. 143-241 relating to the manner in which appointments are made by the Governor to the Wildlife Resources Commission." Adds to GS 143-241 provision that on and after Jan. 1, 1972, the wildlife clubs in each district which are certified by the Comm'n shall hold a joint meeting in their respective districts and by majority vote of members select three nominees for Wildlife Resources Comm'r for district. Names of three nominees shall be forwarded to Governor, who shall make appointment for that district from names submitted.

H 1241 Cemeteries for private gain
Introducer: Harris

GS 65
Sent to JUDIC 2

"To amend Article 7 of Chapter 65 relating to cemeteries operated for private gain." Amends GS 65-19(c) to add mausoleum crypt and columbarium to grave space and burial vault as articles included within definition of "sale" or "conveyance" as used in Article. Amends GS 65-20 to make mandatory penalty for failure to file required report with Burial Association Comm'r. Amends GS 65-22 to increase from \$10 to \$15 the deposit required for each grave space if perpetual care fund is to be advertised, and adds requirement of \$40 deposit for each such mausoleum crypt. Conforms GS 65-24 ("Amount set aside in perpetual care fund; use of income") to change in GS 65-22. Rewrites GS 65-27 to provide when amount deposited in perpetual care fund shall amount to \$150,000 (now, \$100,000) the cemetery may make all deposits thereafter either into the original perpetual care trust fund or into fund "A," as described in GS 65-23.1, and said deposits shall be not less than \$10 (now, \$5) per grave space. Amends GS 65-30 to make mandatory suspension of cemetery's license by Comm'r upon failure of cemetery to keep proper financial records, and to require Comm'r to cause prosecution under GS 65-31 ("Violation of Article a misdemeanor") if records are not corrected within 90 days of written demand of Comm'r for such correction. Adds following provisions to GS 65-30: (1) within 30 days after final payment made by purchaser of grave space, requires delivery of deed or right to interment, and placing of required amount in perpetual care fund; and (2) grants Comm'r authority to inspect all records of a perpetual care cemetery. Amends GS 65-34 to make mandatory suspension of license of cemetery owner convicted of violation of Article. Effective July 1, 1971 as to sales or agreements made after Jan. 1, 1972.

H 1243 Amend H 388
Introducer: McMichael

GS 20
Sent to INSUR

"To amend Chapter 477, Session Laws of 1971 to delete certain language inadvertently contained therein." Amends indicated act by deleting therefrom language indicating that registrant needs to send his operator's license along with the registration plate to the Dep't.

H 1244 Marketing assoc. officers
Introducer: Snyder

GS 54
Sent to JUDIC 1

"To amend G.S. 54-147 relating to officers of marketing associations." Amends GS 54-147 to delete requirement that directors elect president and vice-president from own number, but requires directors elect chairman and vice-chairman unless president and vice-presidents are members of bd. Authorizes bd. to appoint or elect such additional officers as are necessary and appropriate.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 1238 Beer sales and consumption
Introducers: Davis and McKnight
FORSYTH
Sent to LOC GOVT

"To permit certain sales of beer in Forsyth County." Amends Sec. 1, Ch. 938, 1947 SL to restrict sale of wine and beer within one mile of certain schools and churches in Bethania Township to sale for on-premise consumption only.

H 1239 Woodfin water-sewer dist. election
Introducers: DeBruhl and Stevens
BUNCOMBE
Passed three readings and sent to Senate

"To amend Chapter 290 Public-Local Laws of 1931, so as to provide for the election of the Board of Trustees for the Woodfin Sanitary Water and Sewer District." Adds new Sec. 3.1 to Ch. 290, 1931 SL providing that beginning with regular primary and general election for county officers in 1972, three trustees for District shall be nominated and elected pursuant to GS 130-126, and terms of present trustees shall terminate first Monday in Dec. 1972, new terms to begin on said date and run for two years.

H 1240 Stovall bonds
Introducer: Watkins
GRANVILLE
Sent to LOC GOVT

"To ratify, approve, confirm and validate all proceedings taken by the Board of Commissioners of the Town of Stovall in connection with the authorization of \$130,000 water bonds of said Town and the holding of an election thereon." As title indicates, notwithstanding Town's failure to comply with GS 159-7 (Application to [Local Government] Commission for issuance of bonds or notes).

H 1242 City, county zoning
Introducers: Nash and Mitchell
ROWAN
Sent to LOC GOVT

"To authorize the County of Rowan and municipalities therein to mutually agree on zoning and subdivision jurisdiction lines." Authorizes Bd. of County Comm'rs and legislative bodies of municipalities to define extraterritorial zoning and subdivision jurisdictional limits at distance of more or less than one mile from municipal boundary, provided such limits are mutually agreed to by resolution, and that any party to agreement may withdraw approval upon one year's written notice.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 96 Environmental bill of rights (digested in Bulletin No. 15, p. 97; Committee Substitute digested in Bulletin No. 81, p. 666; amendments digested in Bulletins No. 106, p. 962, and No. 107, p. 973)
Amendment adopted in House 6/11/71 provides any land to become part of "State Nature and Historic Preserve" must first be accepted as such by resolution adopted by a vote of three-fifths of the members of each House of the General Assembly.

- S 274 Police officers, death benefits (digested in Bulletin No. 43, p. 309)
Amendment adopted in Senate 6/11/71 makes act applicable with respect to any death occurring subsequent to Jan. 1, 1971 (bill stated retroactive from same date).
- S 362 Utilities Comm'n-motor carriers (digested in Bulletin No. 57, p. 410; amendments digested in Bulletin No. 84, p. 700)
Amendment adopted in House 6/11/71 makes act applicable to all motor carrier vehicles (originally, limited to interstate vehicles).
- S 475 State purchases and contracts (digested in Bulletin No. 72, p. 565)
Amendments adopted in House 6/11/71 add to units that may avail themselves of the services of the Dep't of Admin. in the purchase of materials and supplies "governmental entities and other subdivisions of the State," and make technical language changes.
- S 670 Transit system franchise tax reduc. (digested in Bulletin No. 94, p. 810)
Amendment adopted in Senate 6/11/71 corrects statutory reference and makes effective date July 1, 1971 (originally June 1, 1972).
- S 712 License plates-citizen radio (Iden. H. 1098, digested in Bulletin No. 97, p. 854)
Amendment adopted in House 6/11/71 raises fee for special license plates to \$5 (originally \$3) and adds new section placing revenue from fees in "Class D Citizens Radio Registration Plate Fund," monies remaining after necessary expense deductions to be periodically transferred to State Highway Comm'n as provided in GS 20-181.3(c)(2).

HOUSE BILLS

- H 51 Open public meetings (digested in Bulletin No. 7, p. 39; H Committee Substitute digested in Bulletin No. 47, p. 341; S Committee Substitute digested in Bulletin No. 102, p. 913; amendments digested in Bulletin No. 107, p. 974)
Amendments adopted in Senate 6/11/71 add Legislative Services Comm'n to list of exempted committees and commissions and add new section to provide any committee or subcommittee of General Assembly has inherent right to hold executive session when necessary to prevent personal embarrassment or in best interests of State, but prohibits any final action from being taken except in open committee.
- H 434 Dividends, cash or property (digested in Bulletin No. 43, p. 311)
Committee Substitute adopted in House 6/11/71 makes following changes: (1) makes new GS 55-50(i) applicable to corporations having less than 25 shareholders on final day of preceding fiscal period; (2) provides alternative method of answering shareholders' demand under new GS 55-50(j); (3) rennumbers sections to conform to changes. New GS 55-50(j) provides that upon receipt of demand from holders of 20% or more of shares of any class of shares pursuant to GS 55-50(i), corporation may, during current fiscal year or within three months after close thereof, give written notice to each shareholder making such written demand that corporation elects to redeem all shares held by such shareholder in lieu of payment of dividends as provided in GS 55-50(i), and shall pay to shareholder fair value of his shares as of day preceding mailing or otherwise reasonably dispatching the notice. Thereafter, makes shareholder entitled to receive fair value of shares subject only to surrender of his certificate representing shares and to provisions of GS 55-52. Sets out alternative methods of determining fair value of shares, including resort to appraisers and judicial review. Permits corporation acquiring shares in this manner to hold and dispose of such shares as in case of other treasury shares.
- H 670 (CUMBERLAND) Local gov't study comm'n (digested in Bulletin No. 63, p. 484; Committee Substitute digested in Bulletin No. 107, p. 974)
Amendment adopted in House 6/11/71 requires appointments to Comm'n be made within 90 days (originally 180 days) after ratification, requires initial meeting be called by Sept. 30, 1971 (originally Sept. 15, 1971), and corrects statutory references.

H 907 Coastal fisheries assessments (digested in Bulletin No. 66, p. 506)

Amendment adopted in House 6/11/71 adds new section amending Sec. 17, Ch. 890, 1967 SL to require annual certified audit be made of financial records of agency, sets forth necessary items which must be included in such audit, directs copy of audit be submitted to Dep't Cons. & Dev. within 60 days of end of agency's fiscal year, for transmittal to Bd. Cons. & Dev., and makes chairman or executive head of agency guilty of misdemeanor if he fails to carry out above duties.

H 926 Barber law-penalty charge (digested in Bulletin No. 85, p. 710)

Amendment adopted in House 6/11/71 reduces penalty fees to \$25 and \$100 (originally \$50 and \$500).

H 940 Curb side voting (digested in Bulletin No. 86, p. 724)

Amendment adopted in House 6/11/71 makes following changes: (1) Specifies fine for violation of act not to exceed \$500 and imprisonment not to exceed 6 months, and so provides in oath signed by voter; (2) provides affidavit to be signed by assistant judge or registrar who administers oath to voter (was by judge of elections); (3) provides assistant to attend to execution of affidavit by voter, and to return affidavit and completed ballot to judges of election.

H 1159 (PITT) Farmville charter (digested in Bulletin No. 102, p. 912)

Technical amendment adopted in House 6/11/71.

ERRATA

In yesterday's Bulletin (Bulletin No. 107) on page 969, two consecutive bills were digested under the number S 774. The first bill (Animal Waste Pollution Control Act) was correctly numbered S 774. The Interstate Environmental Compact should have been numbered S 775.

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 4 18 YEAR OLD MAJORITY.(5/25) H-PLACED CAL FOR JUNE 16.
 S. 96 ENVIRONMENTAL BILL OF RIGHTS.(5/05, 6/09, 6/10, 6/11) H-FLOOR AMEND ADOPTED.
 S. 227 ACCIDENT REPORTS,PARKED AUTOS.(6/10) H-REC FROM SENATE; H-REF TO COM ON HY SAFTY.
 S. 249 PODIATRY DEFINED. H-POSTPONED TO JUNE 15.
 S. 274 POLICE OFFICERS,DEATH BENEFITS.(6/11) S-COM AMEND ADOPTED.
 S. 302 DUAL OFFICE HOLDING. S-REPTD FAV AS AMENDED.
 S. 317 WORKMEN'S COMPENSATION-DISEASES.(4/27) H-PASSED 2ND & 3RD READING.
 S. 334 WORKMEN'S COMP.-EMPLOYEE DEATH-2.(6/01) H-PASSED 2ND READING; H-PLACED CAL FOR JUNE 16.
 S. 336 WORKMEN'S COMP.-SECURITY FUNDS. H-PASSED 2ND & 3RD READING.
 S. 358 UTILITIES COMM'N-PIPELINE SAFETY-1. H-PASSED 2ND & 3RD READING.
 S. 359 UTILITIES COMM'N-ATTORNEYS-1. H-PASSED 2ND & 3RD READING.
 S. 360 UTILITIES COMM'N-RATE POWER. H-PASSED 2ND & 3RD READING.
 S. 362 UTILITIES COMM'N-MOTOR CARRIERS.(5/10, 6/11) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
 S. 364 UTILITIES COMM'N-SERVICE HEARINGS.(5/10) H-PASSED 2ND & 3RD READING.
 S. 369 UTILITIES COMM'N-EXEMPTION-1. H-PASSED 2ND & 3RD READING.
 S. 382 DISORDERLY CONDUCT.(5/19) H-POSTPONED TO JUNE 16.
 S. 475 STATE PURCHASES AND CONTRACTS.(6/11) H-COM AMENDS ADOPTED; H-PASSED 2ND & 3RD READING.
 S. 486 REFORMATORIES-LAW REWRITE. H-POSTPONED TO JUNE 16.
 S. 502 AMENDING ANATOMICAL GIFT ACT. S-PLACED ON CAL JUNE 16.
 S. 551 CLARIFYING CH.218,SL 1971.(5/19) H-POSTPONED TO JUNE 16.
 S. 570 NC SEED LAW REVISIONS. H-POSTPONED TO JUNE 16.
 S. 581 HANDLERS OF FARM PRODUCTS.(5/21, 5/26) H-POSTPONED TO JUNE 16.
 S. 595 TECHNICAL CORRECTIONS-GEN. STATS.. S-PLACED ON CAL JUNE 15.
 S. 621 LIMITED DRIVING-OLD CONVICTIONS. H-REC FROM SENATE; H-REF TO COM ON HY SAFTY.
 S. 656 OFF-SITE COMPONENTS APPROVAL. S-PLACED ON CAL JUNE 15.
 S. 670 TRANSIT SYSTEM FRANCHISE TAX REDUC..(6/11) S-COM AMEND ADOPTED; S-PASSED 2ND READING.
 S. 683 COURTS COMM'N MEMBERS-TERMS. H-PASSED 2ND & 3RD READING.
 S. 699 PILOTS ASSOCIATION PENSION FUND. H-PASSED 2ND & 3RD READING.

- S. 701 CAPE FEAR RIVER PILOT FEES. H-PASSED 2ND & 3RD READING.
- S. 712 LICENSE PLATES-CITIZENS RADIO.(6/11) H-COM AMEND ADOPTED;
H-PASSED 2ND & 3RD READING.
- S. 716 INDIGENT'S WAIVER OF COUNSEL. H-PASSED 2ND READING; H-PLACED
CAL FOR JUNE 15.
- S. 723 ENFORCE MOBILE HOME STANDARDS.(6/10) S-PASSED 3RD READING.
- S. 726 CPA CERTIFICATE FEES. S-PASSED 2ND READING.
- S. 757 CONTROL OF BIOLOGICAL RESIDUES. S-REPTD FAV.

- H. 51 OPEN PUBLIC MEETINGS.(3/18, 3/23, 3/24, 6/03, 6/10, 6/11)
S-FLOOR AMEND FAILED; S-FLOOR AMENDS TABLED; S-FLOOR AMENDS
ADOPTED; S-PASSED 2ND & 3RD READING.
- H. 82 AUTO INSURANCE RATES,AGE-1. H-POSTPONED TO JUNE 17.
- H. 83 AUTO INSURANCE RATES,AGE-2. H-POSTPONED TO JUNE 17.
- H. 86 CENSURE,REMOVAL OF JUDGES. S-PASSED 2ND & 3RD READING.
- H. 186 TAX EXEMPT MILITARY RETIRED PAY-3.(6/09) S-REC FROM HOUSE;
S-REF TO COM ON FINANCE.
- #H. 293 LESSOR'S LIENS,PROCEEDS OF SALE.(5/20, 6/09) RATIFIED CH.
544.
- H. 434 DIVIDENDS,CASH OR PROPERTY.(6/11) H-REPTD FAV COM SUBSTITUTE;
H-COM SUBSTITUTE ADOPTED.
- H. 528 DRIVER POINT REDUCTION-CLINIC.(5/12, 6/09) H-REC TO CONCUR
IN COM SUB; H-REF TO COM ON HY SAFTY.
- H. 596 SECURITIES LAW EXEMPTION.(6/03) S-REPTD FAV.
- #H. 650 MINING ACT OF 1971.(5/27, 6/09) RATIFIED CH. 545.
- #H. 694 DRIVER'S LICENSE RE-EXAM.(5/27) RATIFIED CH. 546.
- H. 709 COASTAL FISHERIES ASSESSMENTS.(6/11) H-FLOOR AMEND ADOPTED;
H-PASSED 3RD READING.
- H. 751 FEEDING GARBAGE TO SWINE. S-REPTD FAV.
- H. 752 DEAD DOMESTIC ANIMALS DISPOSITION.(6/04) S-REPTD FAV.
- H. 795 STATE PURCHASES AND CONTRACTS. H-POSTPONED TO JUNE 14.
- H. 845 RECORDED INSTRUMENTS,QUALITY. S-REPTD FAV.
- H. 846 RETURN OF RECORDED MAPS.(6/01) S-REPTD FAV.
- H. 892 DEFACING HIGHWAY SIGNS.(6/10) H-PASSED 2ND & 3RD READING.
- H. 912 NC SEED LAW REVISIONS. H-POSTPONED TO JUNE 16.
- H. 926 BARBER LAW-PENALTY CHANGE.(6/11) H-FLOOR AMEND ADOPTED;
H-PASSED 2ND & 3RD READING.
- H. 929 VOTING RESIDENCE 90 DAYS. H-REPTD FAV AS AMENDED.
- H. 940 CURB SIDE VOTING-DISABLED.(6/11) H-COM AMEND ADOPTED; H-PASSED
2ND & 3RD READING.
- H. 944 NAME CHANGE-GOOD NEIGHBOR COUNCIL. H-PASSED 2ND & 3RD
READING.
- H. 985 CONFORM GS 115 TO CONSTITUTION. H-POSTPONED TO JUNE 14.
- H.1012 (J.RES.) PRIVATE CHILD-CARE FUNDS. H-PASSED 2ND & 3RD
READING.
- H.1018 CUSTODY,SUPPORT SUIT-COUNSEL FEES.(6/03) S-REPTD FAV.
- H.1020 LICENSE TAXES-CAMPGROUNDS.(6/03) S-PLACED ON CAL JUNE 14.
- H.1037 SCHOOL CONSTRUCTION BOND ISSUE. H-REPTD FAV; H-PLACED CAL
FOR JUNE 16.
- H.1044 HUSBAND-WIFE TRESPASS TESTIMONY. S-REPTD FAV.

- H.1062 DISCOVERY OF INSURANCE INFORMATION. H-PASSED 2ND & 3RD READING.
H.1066 CONTROL OF FISHING FROM BRIDGES. H-PASSED 2ND & 3RD READING.
H.1081 NO DISCRIMINATION HANDICAPPED. H-POSTPONED TO JUNE 14.
H.1088 COUNTY LANDFILL FUNDS. S-PASSED 2ND READING.
H.1094 MUTUAL INSUR. CO. DIRECTORS. H-POSTPONED TO JUNE 17.
H.1098 LICENSE PLATES-CITIZENS RADIO. H-POSTPONED TO JUNE 14.
H.1099 NC HOUSING CORPORATION ACT-AMEND. H-PASSED 2ND & 3RD READING.
H.1101 CENTRAL PRISON-PERSONS UNDER 16. H-PASSED 2ND & 3RD READING.
H.1102 HUSBAND-WIFE TORT ACTIONS. H-PASSED 2ND & 3RD READING.
H.1109 POULTRY PRODUCTS INSPECTION ACT. H-PASSED 2ND & 3RD READING.
H.1113 AUTO REGISTRATION TRANSFER. H-PASSED 2ND & 3RD READING.
H.1143 PLACING WASTE IN STATE WATERS. H-PASSED 2ND & 3RD READING.
H.1154 SCHOOL BOARD HEARINGS. H-PASSED 2ND & 3RD READING.
H.1188 TRENT RIVER HUNTING. H-PASSED 2ND & 3RD READING.
H.1201 NO TAKING ALLIGATORS. H-PASSED 2ND & 3RD READING.
#H.1218 (J.RES.) CONGRATULATING CARL GOERCH. RATIFIED RES. 81.
H.1219 (J.RES.) HONORING J. HERMAN LEDER. S-REPTD FAV.

LOCAL BILLS

- S. 467 (ONslow) SWANSBORO CHARTER REVISION.(6/01) H-PASSED 2ND READING.
S. 616 (CUMBERLAND) CITY-COUNTY SCHOOL BOARD. H-PASSED 3RD READING.
S. 647 (BUNCOMBE) ASHEVILLE AG. DEVELOPMENT FUNDS. H-PASSED 2ND & 3RD READING.
S. 702 (MECKLENBURG) MIXED DRINKS-ELECTION.(6/03) H-REPTD FAV; H-PLACED CAL FOR JUNE 15.
S. 707 (NEW HANOVER) RESTRICT FOX HUNTING.(6/03) H-PASSED 2ND & 3RD READING.
#S. 737 (DAVIE) AMENDING SL 1971,CH. 399. RATIFIED CH. 543.

H. 658 (CARTERET) EMERALD ISLE CORPORATE LIMITS. H-PASSED 2ND READING.
H. 670 (CUMBERLAND) LOCAL GOV'T STUDY COMM'N.(6/10, 6/11) H-COM SUBSTITUTE AMENDED; H-PASSED 2ND & 3RD READING.
#H. 945 (CUMBERLAND) CITY-COUNTY SCHOOL BOARD. H-POSTPONED INDEF.
H.1148 (CUMBERLAND) FAYETTEVILLE FIREMEN'S FUND. H-PASSED 2ND & 3RD READING.
H.1149 (WAKE) KNIGHTDALE POLICE FIRE POWERS. H-PASSED 2ND & 3RD READING.
H.1150 (ROCKINGHAM) REIDSVILLE ABC PROFITS. H-PASSED 2ND & 3RD READING.
H.1159 (PITT) FARMVILLE CHARTER.(6/11) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
H.1161 (MECKLENBURG) CHARLOTTE AIR RIGHTS OVER STREETS. H-PASSED 2ND & 3RD READING.
H.1162 (IREDELL) STATESVILLE REALTY,UTILITIES SALE. H-PASSED 2ND & 3RD READING.
H.1202 (ASHE) PAVING GARBAGE DUMP ROAD. H-PASSED 2ND & 3RD READING.

H.1239 (BUNCOMBE) WOODFIN WATER-SEWER DIST.. H-PASSED 2ND & 3RD
READING; S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

Next Sessions of Senate and House: 9:30 a.m., Saturday, June 12, 1971;
8:00 p.m., Monday, June 14, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
P. O. BOX 7294, RALEIGH, N. C.
27611 TEL. 755-3355
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BULLETIN NO. 109

-993-

MONDAY, JUNE 14, 1971

Note: The Senate and House convened at 9:30 a.m. on Saturday, June 12, 1971, for consideration of local bills only. No bills were introduced and no calendar action was taken in either Chamber.

PUBLIC BILLS INTRODUCED

SENATE

S 785 Vagabond Drama appropriation
Introducer: Alley

APPROPRIATION
Sent to APPROPRN

"To appropriate funds to the Vagabond School of the Drama, Inc., known as the State Theatre of North Carolina, for operation, construction and expansion."
Appropriates out of General Fund \$25,000 for each year of 1971-73 biennium to Vagabond School of Drama, Inc. for operation, construction and expansion of State Theatre at Flat Rock, N.C. Effective July 1, 1971.

S 786 Permit fees for pen-raised quail
Introducer: Burney

GS 113
Sent to FINANCE

"Relating to a permit fee for the selling of pen-raised quail." Amends Ch. 515, 1971 SL (S 571) adding new Sec. 2.1 requiring every person who wishes to sell pen-raised quail for food purposes to pay \$50 fee to Wildlife Resources Comm'n upon application for permit. Requires Comm'n to use permit fees to defray expenses in processing application.

S 787 Auto dealers license
Introducer: Staton

GS 20
Sent to JUDIC 2

"To amend Article 12 of Chapter 20 of the North Carolina General Statutes to provide that the sale of more than three motor vehicles in any twelve-month period by any person creates the presumption that such person is a motor vehicle dealer and to provide a specific penalty for the failure to obtain a motor vehicle dealer's license."
Amends GS 20-287 to make failure to obtain required license a misdemeanor punishable by minimum \$500/maximum 60 days or both. Prohibits person convicted under section from being licensed as motor vehicle dealer in State for two years from date of conviction as defined in GS 20-24(c). Adds new GS 20-287.1 making sale of three motor vehicles in State in twelve-month period constitute presumption that person selling same is motor vehicle dealer and subject to motor vehicle dealer's and manufacturer's licensing law.

S 788 Traffic laws-Pembroke State Univ.
Introducer: Britt

GS 20
Sent to HIGHR ED

"To amend Article 2 of Chapter 116 of the General Statutes of North Carolina, so as to make Chapter 20 of the General Statutes, relating to motor vehicles, applicable in the use of streets, alleys, and driveways on the grounds of Pembroke State University and to authorize the Pembroke Trustees to adopt traffic regulations."



Adds new GS 116-46.1B making all provisions of Chapter 20 relating to use of highways of State and operation of motor vehicles thereon applicable to streets, alleys and driveways on campus of Pembroke State, and making punishment for conviction of violation thereof as prescribed in Ch. 20. Authorizes trustees to make additional rules and regulations with respect to streets, alleys, driveways and parking on campus not inconsistent with above nor with town ordinances. Authorizes trustees to set speed limits lower than those provided in GS 20-141, make reasonable provisions for towing, and sets penalty at maximum \$50/30 days.

HOUSE

H 1245 Add'l Dist. Judge-Mecklenburg GS 7A
Introducers: Vogler, Beatty, Campbell, Cobb, Sent to COURTS
Foley, Hicks, and Lawing

"To provide an additional District Court Judge for Mecklenburg County."
Amends GS 7A-133 by increasing number of district court judges in 26th District Court District to 8 (now 7). Effective July 1, 1971.

H 1246 No discrimination-blind teachers GS 115
Introducer: Beatty Sent to EDUCATN

"To prohibit discrimination against the blind or partially blind in the training and hiring of teachers." Adds new GS 115-152.1 prohibiting State Bd. Educ. from denying credentials or training to become teacher or engage in practice teaching, and prohibits school district from refusing to hire teacher on grounds he is blind or partially blind, if he can carry out duties of position.

H 1247 Tax credit-assist handicapped GS 105
Introducer: Twiggs Sent to FINANCE

"To provide income tax credits for removal of architectural barriers to the handicapped." Adds new GS 105-130.18A (corporate income tax) and 105-151A (individual income tax) granting tax credit for amount expended in taxable year by taxpayer in renovating existing building to remove architectural barriers to handicapped, credit not to exceed \$1000 in any taxable year. Defines "building or facility" as one actually used by general public and provides for apportionment of credit if owned by more than one taxpayer. Establishes minimum renovation for which credit may be claimed as provision of ground level or ramped entrances, free movement between public use areas, and washroom and toilet facilities accessible to and usable by physically handicapped persons. Effective January 1, 1972.

H 1248 License child care institutions GS 108
Introducer: Twiggs Sent to SOC SERV

"To provide for the licensing of certain child caring institutions." Deletes GS 108-78(c) and conforms GS 108-78(a) and 110-49 to require Social Service Dept. to inspect and license all private child-caring institutions in State under rules and regulations adopted by Bd. Soc. Serv. (Now, institutions with assets and plant worth \$60,000 or more owned and operated by religious denomination or fraternal order are exempted.) Effective July 1, 1971.

H 1249 Sentence credit-another jurisd. GS 15
Introducer: Soles Sent to JUDIC 1

"To amend Article 1 of Chapter 15 of the General Statutes so as to allow receipt of credit against a North Carolina sentence for time served in another jurisdiction." Adds new GS 15-6.3 authorizing NC court upon sentencing person confined under sentence in another jurisdiction to specifically impose a sentence to be concurrently served, and to direct that prisoner receive credit against sentence

imposed for all time subsequently served in jurisdiction possessing physical custody of person.

H 1250 State Goals and Policy Council (Iden. S 783) GS 143
Introducer: Barbee Sent to ST GOVT

"To establish the North Carolina Council of State Goals and Policy." Identical with S 783 digested in Bulletin No. 108, p. 982.

H 1255 (Joint Resolution) Diploma nursing school assist GS 90
Introducer: Fenner Sent to HEALTH

"Directing the State Board of Nursing to encourage and assist diploma schools of nursing." As title indicates, directs State Bd. Nursing to interpret its broad powers of control over diploma schools of nursing granted under Nursing Practice Act of 1965 in manner conducive to continuance and growth of diploma schools in State. Directs Bd. promote such schools and report on their efforts in this regard to Governor and 1973 General Assembly; to encourage use of trained registered nurses in instructional positions; to interpret instruction given nursing students provided in GS 90-171.7 not to necessarily exclude any faculty-supervised experience that uses student's talent to perform duties of benefit to hospital facility in which school located. Declares legislative recognition of need for more appropriations to aid diploma schools.

H 1256 Sales tax exempt employee meals GS 105
Introducer: Twiggs Sent to FINANCE

"To amend the Sales and Use Tax Act for the purpose of exempting meals furnished employees in restaurants, cafes, cafeterias, hotel dining rooms and other similar places from said tax." Amends GS 105-164.13 as title indicates, by adding to "Unclassified Group" new exemption of prepared meals furnished employees as indicated above. Effective July 1, 1973.

H 1257 Regulating auto insurance rates-2 GS 58
Introducer: Ingram Sent to INSUR

"To amend Article 25 of Chapter 58 of the General Statutes relating to the regulation of automobile insurance rates." Substantially identical to S 457 (digested in Bulletin No. 70, p. 545) except: (1) rewrites GS 58-246(5) to require Rating Bureau to furnish to Insurance Commissioner statistics on income or loss by member companies on all monies, including those allocable to unearned premium reserves and unpaid loss reserves (S 457 requires report on income from investment of unearned premium reserves, loss reserves, and capital); (2) amends GS 58-248 to authorize Commissioner to compel production of data for determining costs, expenses, and profit or loss (S 457: "costs, expenses, and income"); and expressly requires Commissioner to disapprove any rate proposal if such data not furnished; (3) adds new GS 58-248.10 to provide that rates not to be more or less than those to produce fair and reasonable profit (S 457: "not to be excessive, inadequate, unfairly discriminatory or not in public interest") and that investment income from unearned premiums and loss reserve to be factor in rates. (S 457 also lists income from capital). Effective January 1, 1972.

H 1258 School board personalty sale GS 115
Introducer: Clark Sent to JUDIC 2

"To rewrite the provisions providing for the sale of personal property by board of education." Rewrites GS 115-126(b) and (c) to authorize county or city board of education to sell personal property belonging to board by private negotiation and sale, advertisement and sealed bids, public auction, or through the NC Div. of Purchase and Contract (now, only latter two methods authorized). Sets forth specific procedures and limitations for each method of sale.

H 1259 Insurance broker bonds
Introducer: Miller

GS 58
Sent to INSUR

"To amend G. S. 58-40.2, relating to bonds required of resident insurance brokers." Adds to GS 58-40.2(a) provision that broker's bond may be conditioned upon accounting by broker to any insurer or association of insurers under any plan or plans for placement of insurance under laws of NC.

H 1260 Intersection violations
Introducer: J. Ramsey

GS 20
Sent to JUDIC 2

"To amend GS 20-153(a) relating to the turning of a vehicle at intersections." Amends cited subsection to provide that intersection violation not to constitute negligence per se.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 1251 Princeville annexation
Introducer: Eagles by request

EDGECOMBE
Sent to LOC GOVT

"To enable the Commissioners of the Town of Princeville to annex a certain area served by the water system." Authorizes Comm'rs to annex within 60 days of ratification of act area specified in bill, and amends previous session law to conform to new boundaries. Establishes five (now four) wards for purposes of election of Comm'rs, and sets forth boundaries of each ward.

H 1252 Tax listing by mail
Introducer: Holshouser

MITCHELL
Sent to LOC GOVT

"To amend Sections 105-306(26), 105-308, 105-309, and 105-310 of the General Statutes of North Carolina in order to authorize the Board of County Commissioners of Mitchell County to prescribe regulations relating to the listing of property for taxation in that county." As title indicates, authorizes Comm'rs to issue regulations governing listing, including taxation by agents and tax lists submitted by mail. Makes signature by taxpayer on listing by mail equivalent to affirmation under GS 105-308, or 105-310. Makes GS 105-309, 105-306(26), 105-308, and 105-310 applicable in Mitchell County except as inconsistent with Comm'rs regulations.

H 1253 Accountant & tax supervisor
Introducer: Holshouser

MITCHELL
Sent to LOC GOVT

"Relating to certain offices in Mitchell County." Makes offices of county accountant and tax supervisor in Mitchell County appointive as provided in GS Ch. 153.

H 1254 Education board terms, selection
Introducer: Holshouser

AVERY
Sent to LOC GOVT

"Relating to the election of the members of the Avery County Board of Education and to fix their term of office." Authorizes five member bd. of educ. to serve 4-yr. terms, initial membership composed of: Gwaltney, Wiseman, Hughes (terms expire April 1973), and Dellinger and Smith (terms expire April 1975). Sets forth filing requirements and method of filling vacancies.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

- S 274 Police officers, death benefits (digested in Bulletin No. 43, p. 309; amendment digested in Bulletin No. 108, p. 986)
Amendment adopted in Senate 6/14/71 lowers benefit to \$10,000 (originally, \$15,000).
- S 286 Photographing defendants (digested in Bulletin No. 45, p. 323; Committee Substitute digested in Bulletin No. 106, p. 962)
Technical amendment adopted in Senate 6/14/71.
- S 498 Ind'l revenue-antipollut. facils. (Iden. H 801, digested in Bulletin No. 75, p. 599)
Committee Substitute adopted in the Senate 6/14/71 requires governing bd. of county intending to create an Authority to submit notice of intent to adopt resolution to Dept of C & D at least 30 days prior to adoption; requires that Authority projects be located in county for which Authority created (original bill permitted projects to be located partly in another county); requires that request for bond issues must be approved by Local Gov. Comm'n; sets forth standards to guide Comm'n in making determinations, and makes other technical changes.
- S 628 Pub. bldgs., systems mgmt. laws (digested in Bulletin No. 89, p. 756)
Amendments adopted in Senate 6/14/71: (1) replace language "systems management" with "data processing"; (2) specify that rule-making powers of Dep't of Admin. under bill relate to adoption of regulations concerning cooperative use of existing data processing equipment and personnel on a cost-reimbursable basis; (3) require that no data of a confidential nature, as defined in General Statutes, shall be entered into or processed through any data processing center established under act until security safeguards satisfactory to agency head and Council of State have been adopted; (4) provide that act shall not apply to Police Information Network, nor affect powers of State Auditor.
- S 653 Vehicle reciprocity agreements (digested in Bulletin No. 92, p. 786)
Technical amendment adopted in House 6/14/71.
- S 669 Transit system fuel tax refunds (digested in Bulletin No. 94, p. 810)
Amendment adopted in Senate 6/14/71 adds new section making provisions of GS 105-439, 105-446.1, 105-446.3, and 105-449 relating to exemptions from and rebates and refunds of tax levied on gasoline also apply to taxes levied by this article on special fuels. Makes effective July 1, 1971 (originally, July 1, 1972).
- S 711 Judgments in divorce actions (digested in Bulletin No. 97, p. 853)
Amendment adopted in Senate 6/14/71 deletes requirement that court state in judgment if there are no minor children of marriage.
- S 757 Control of biological residues (digested in Bulletin No. 105, p. 945)
Amendment adopted in Senate 6/14/71 requires that before representative of Dep't of Ag. may enter premises to make inspection, he must have given written notice to owner of premises, and upon refusal, he may then enter; makes other technical amendments.

HOUSE BILLS

- H 87 Judicial Standards Commission (Iden. S 62) (digested in Bulletin No. 11, P. 68; amendment digested in Bulletin No. 95, p. 832)
Amendments adopted in Senate 6/14/71 make following changes: (1) requires that bar representatives on Comm'n be attorneys who have actively practiced before

Supreme Court; (2) provides proceedings be confidential unless judge involved requests otherwise; (3) permits respondent recommended for censure or removal to have copy of proposed record, and if he has objections to it, to have record settled by Comm'n; grants him right to present brief and argue his case in person and through counsel; (4) makes technical corrections indicating H 86 was passed.

H 747 Assault law rewrite-2 (digested in Bulletin No. 69, p. 536: amendment digested in Bulletin No. 104, p. 938)

Amendment adopted in Senate 6/14/71 restricts title of GS 14-32 to "felonious" assaults; makes applicable to serious "injury" upon another person (originally "damage" to a person specified); and, like previous amendment, deletes references to attempts to inflict damage or injury.

H 929 Voting residence 90 days (digested in Bulletin No. 85, p. 710)

Amendment adopted in House 6/14/71 to set residence time for voting at six months (originally, 90 days).

H 985 Conforms GS 115 to Constitution (digested in Bulletin No. 90, p. 764)
Technical amendment adopted in House 6/14/71.

SENATE AND HOUSE

CALENDAR ACTION

JUN.14,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 96 ENVIRONMENTAL BILL OF RIGHTS.(5/05, 6/09, 6/10, 6/11) H-PASSED 2ND READING; H-PASSED 3RD READING.
S. 274 POLICE OFFICERS,DEATH BENEFITS.(6/11, 6/14) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
S. 286 PHOTOGRAPHING DEFENDANTS.(6/09, 6/14) S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
S. 302 DUAL OFFICE HOLDING. S-PLACED ON CAL JUNE 15.
#S. 317 WORKMEN'S COMPENSATION-DISEASES.(4/27) RATIFIED CH. 547.
#S. 336 WORKMEN'S COMP.-SECURITY FUNDS. RATIFIED CH. 548.
#S. 358 UTILITIES COMM'N-PIPELINE SAFETY-1. RATIFIED CH. 549.
#S. 359 UTILITIES COMM'N-ATTORNEYS-1. RATIFIED CH. 550.
#S. 360 UTILITIES COMM'N-RATE POWER. RATIFIED CH. 551.
S. 362 UTILITIES COMM'N-MOTOR CARRIERS.(5/10, 6/11) S-REC TO CONCUR IN H AMEND; S-PLACED ON CAL JUNE 15.
#S. 364 UTILITIES COMM'N-SERVICE HEARINGS.(5/10) RATIFIED CH. 552.
#S. 369 UTILITIES COMM'N-EXEMPTION-1. RATIFIED CH. 553.
S. 398 SAVINGS & LOAN ASSOC.-POWERS.(5/13) H-POSTPONED TO JUNE 15.
S. 399 GOVERNMENTAL EMPLOYEES-REGULATION.(6/09) S-PASSED 2ND & 3RD READING.
S. 402 WORLD LAW AND ORDER.(6/08) S-PLACED ON CAL JUNE 16.
S. 460 WATER,AIR RES.-INTEREST CONFLICT.(6/09) S-PASSED 3RD READING.
S. 461 LOAN TRANSFER FEE.(5/11) H-POSTPONED TO JUNE 15.
S. 473 CAPITAL CRIME GUILTY PLEA.(5/19) H-PASSED 2ND & 3RD READING.
S. 475 STATE PURCHASES AND CONTRACTS.(6/11) S-REC TO CONCUR IN H AMEND; S-PLACED ON CAL JUNE 15.
#S. 498 IND'L REVENUE-ANTIPOLLUT. FACILS..(6/14) S-REPTD FAV. COM SUBSTITUTE; S-COM SUB ADOPTED; S-REPTD. UNFAV.
S. 516 UNIV. STUDENT PUBL. FEES. S-PLACED ON CAL JUNE 16.
S. 526 NC PROJECTS-LOCAL INSPECTION. H-PASSED 2ND & 3RD READING.
S. 542 MORTUARY TABLES. H-POSTPONED TO JUNE 15.
#S. 590 ABSENTEE VOTING IN PRIMARY. S-FAILED 2ND READING.
S. 628 PUB. BLDGS.,SYSTEMS MGMT. LAWS.(6/14) S-COM AMENDS ADOPTED; S-PASSED 2ND & 3RD READING.
S. 650 DISTRIBUTING HARMFUL FOOD.(6/08) H-PASSED 2ND & 3RD READING.
S. 653 VEHICLE RECIPROCITY AGREEMENTS.(6/14) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
S. 662 HIGHWAY RELOCATION ASSISTANCE. S-REPTD FAV.
S. 663 CONDEMNATION FOR PARKWAYS. S-REPTD FAV.
S. 664 ABANDONMENT OF ROADS. S-REPTD FAV AS AMENDED.

- S. 665 HIGHWAY DISTRICT CAMP SITES. S-REPTD FAV.
- S. 669 TRANSIT SYSTEM FUEL TAX REFUNDS.(6/14) S-COM AMEND ADOPTED;
S-PASSED 2ND & 3RD READING.
- S. 670 TRANSIT SYSTEM FRANCHISE TAX REDUC..(6/11) S-PASSED 3RD
READING.
- #S. 683 COURTS COMM'N MEMBERS-TERMS. RATIFIED CH. 556.
- #S. 699 PILOTS ASSOCIATION PENSION FUND. RATIFIED CH.557.
- #S. 701 CAPE FEAR RIVER PILOT FEES. RATIFIED CH. 558.
- S. 711 JUDGMENTS IN DIVORCE ACTIONS.(6/14) S-COM AMEND ADOPTED;
S-PASSED 2ND & 3RD READING.
- S. 712 LICENSE PLATES-CITIZENS RADIO.(6/11) S-REC TO CONCUR IN H
AMEND; S-PLACED ON CAL JUNE 15.
- S. 723 ENFORCE MOBILE HOME STANDARDS.(6/10) H-REC FROM SENATE; H-REF
TO COM ON MFR LABR.
- S. 726 CPA CERTIFICATE FEES. S-PASSED 3RD READING.
- S. 757 CONTROL OF BIOLOGICAL RESIDUES.(6/14) S-FLOOR AMEND ADOPTED;
S-PASSED 2ND & 3RD READING.
- S. 760 (J.RES.) MEMORIALIZING RALPH W. SLATE. S-PASSED 2ND & 3RD
READING.
- S. 763 MOVING MOBILE HOMES. S-PASSED 2ND & 3RD READING.
- H. 51 OPEN PUBLIC MEETINGS.(3/18, 3/23, 3/24, 6/03, 6/10, 6/11)
H-REC FROM SENATE; H-REF TO COM ON JUDIC 1.
- H. 82 AUTO INSURANCE RATES,AGE-1. H-PLACED ON CAL JUNE 16.
- H. 83 AUTO INSURANCE RATES,AGE-2. H-PLACED ON CAL JUNE 16.
- #H. 86 CENSURE,REMOVAL OF JUDGES. RATIFIED CH. 560.
- H. 87 JUDICIAL STANDARDS COMMISSION.(5/25, 6/14) S-COM AMENDS
ADOPTED; S-PASSED 2ND & 3RD READING.
- H. 283 NARCOTIC DRUGS-VEHICLE CODE.(4/20, 5/05, 5/07, 5/10) S-PLACED
ON CAL JUNE 15.
- H. 434 DIVIDENDS,CASH OR PROPERTY.(6/11) H-PASSED 2ND READING.
- H. 572 EXEMPTING EMCS AND TMCS. S-PASSED 2ND & 3RD READING.
- H. 596 SECURITIES LAW EXEMPTION.(6/03) S-PASSED 2ND READING.
- H. 709 COASTAL FISHERIES ASSESSMENTS.(6/11) S-REC FROM HOUSE; S-REF
TO COM ONJUDIC 1.
- H. 747 ASSAULT LAW REWRITE-2.(6/07, 6/14) S-AMENDMENT RECONSIDERED;
S-FLOOR AMENDS ADOPTED; S-RE-REF COM ON JUDIC 1.
- H. 751 FEEDING GARBAGE TO SWINE. S-PASSED 2ND & 3RD READING.
- H. 752 DEAD DOMESTIC ANIMALS DISPOSITION.(6/04) S-PASSED 2ND & 3RD
READING.
- H. 781 WATER SUPPLY DAMAGES RECOVERABLE. H-RE-REF COM ON JUDIC 2.
- H. 795 STATE PURCHASES AND CONTRACTS. H-POSTPONED TO JUNE 17.
- H. 845 RECORDED INSTRUMENTS,QUALITY. S-PLACED ON CAL JUNE 15.
- H. 846 RETURN OF RECORDED MAPS.(6/01) S-PLACED ON CAL JUNE 15.
- H. 858 PORTS AUTHORITY EARNINGS. S-PASSED 2ND READING.
- H. 892 DEFACING HIGHWAY SIGNS.(6/10) S-REC FROM HOUSE; S-REF TO COM
ON ROADS.
- H. 926 BARBER LAW-PENALTY CHANGE.(6/11) S-REC FROM HOUSE; S-REF TO
COM ON PUB HLTH.
- H. 929 VOTING RESIDENCE 90 DAYS.(6/14) H-COM AMEND ADOPTED; H-PASSED
2ND READING; H-PASSED 3RD READING.

- H. 940 CURB SIDE VOTING-DISABLED.(6/11) S-REC FROM HOUSE; S-REF TO COM ON POLICIES.
- H. 944 NAME CHANGE-GOOD NEIGHBOR COUNCIL. S-REC FROM HOUSE; S-REF TO COM ON ST GOVT.
- H. 959 HOSPITAL FACILITIES FINANCE ACT.(5/28, 5/28) S-REPTD FAV.
- H. 965 PRORATE INHERITANCE TAX EXEMPTION. S-REC FROM HOUSE; S-REF TO COM ON FINANCE.
- H. 985 CONFORM GS 115 TO CONSTITUTION.(6/14) H-COM AMEND ADOPTED; H-PASSED 2ND READING.
- H.1009 CORRECTING ADMINISTRATORS' TITLES. S-PLACED ON CAL JUNE 15.
- H.1012 (J.RES.) PRIVATE CHILD-CARE FUNDS. S-REC FROM HOUSE; S-REF TO COM ON RESOURCE.
- H.1018 CUSTODY,SUPPORT SUIT-COUNSEL FEES.(6/03) S-PLACED ON CAL JUNE 15.
- H.1020 LICENSE TAXES-CAMPGROUNDS.(6/03) S-PASSED 2ND READING.
- H.1021 TAX EXEMPT MINISTER'S RESIDENCE.(6/07) S-PLACED ON CAL JUNE 15.
- H.1027 LICENSE FEE-CHIROPRACTOR. S-PLACED ON CAL JUNE 15.
- H.1044 HUSBAND-WIFE TRESPASS TESTIMONY. S-PLACED ON CAL JUNE 15.
- H.1062 DISCOVERY OF INSURANCE INFORMATION. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.
- H.1066 CONTROL OF FISHING FROM BRIDGES. S-REC FROM HOUSE; S-REF TO COM ON ROADS.
- H.1081 NO DISCRIMINATION HANDICAPPED. H-PASSED 2ND & 3RD READING.
- H.1088 COUNTY LANDFILL FUNDS. S-PASSED 3RD READING.
- H.1098 LICENSE PLATES-CITIZENS RADIO. H-POSTPONED TO JUNE 17.
- H.1099 NC HOUSING CORPORATION ACT-AMEND. S-REC FROM HOUSE; S-REF TO COM ON ST GOVT.
- H.1101 CENTRAL PRISON-PERSONS UNDER 16. S-REC FROM HOUSE; S-REF TO COM ON COURTS.
- H.1102 HUSBAND-WIFE TORT ACTIONS. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
- H.1109 POULTRY PRODUCTS INSPECTION ACT. S-REC FROM HOUSE; S-REF TO COM ON AGRICULT.
- H.1113 AUTO REGISTRATION TRANSFER. S-REC FROM HOUSE; S-REF TO COM ON ROADS.
- H.1136 (J.RES.) MEMORIALIZING BRANTLEY. S-PLACED ON CAL JUNE 15.
- H.1143 PLACING WASTE IN STATE WATERS. S-REC FROM HOUSE; S-REF TO COM ON CONS & DEV.
- H.1154 SCHOOL BOARD HEARINGS. S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
- H.1188 TRENT RIVER HUNTING. S-REC FROM HOUSE; S-REF TO COM ON WILDLIFE.
- H.1201 NO TAKING ALLIGATORS. S-REC FROM HOUSE; S-REF TO COM ON WILDLIFE.
- H.1219 (J.RES.) HONORING J. HERMAN LEDER. S-PLACED ON CAL JUNE 15.

LOCAL BILLS

- S. 467 (ONSLOW) SWANSBORO CHARTER REVISION.(6/01) H-PASSED 3RD READING.

- #S. 616 (CUMBERLAND) CITY-COUNTY SCHOOL BOARD. RATIFIED CH. 554.
S. 624 (CASWELL) YANCEYVILLE INCORPORATION. S-REPTD FAV AS AMENDED.
#S. 647 (BUNCOMBE) ASHEVILLE AG. DEVELOPMENT FUNDS. RATIFIED CH. 555.
#S. 707 (NEW HANOVER) RESTRICT FOX HUNTING.(6/03) RATIFIED CH. 559.
S. 741 (ROCKINGHAM) REIDSVILLE ABC BOARD. S-RE-REF COM ON ABC.
- H. 146 (CUMBERLAND) REPEALING ANNEXATION EXEMPTION. S-REPTD FAV AS AMENDED.
H. 406 (BLADEN) HY. DITCH DIGGING-WHITE LAKE. S-REPTD FAV.
H. 413 (ALAMANCE) WOUND REPORTS BY HOSPITALS. S-REPTD FAV.
H. 584 (CATAWBA) LONG VIEW TAX DISCOUNTS. S-REPTD FAV.
H. 658 (CARTERET) EMERALD ISLE CORPORATE LIMITS. H-PASSED 3RD READING.
H. 666 (GUILFORD) GREENSBORO HOUSING AUTH. MEMBERSHIP. S-REPTD FAV.
H. 670 (CUMBERLAND) LOCAL GOV'T STUDY COMM'N.(6/10, 6/11) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
H. 880 (DURHAM) DURHAM HOUSING AUTHORITY.(5/28) S-REPTD FAV.
H. 966 (ANSON) LILESVILLE CHARTER.(5/31) S-REPTD FAV.
H. 987 (DURHAM) DURHAM CITY-COUNTY CHARTER COMM'N.(5/31) S-REPTD FAV.
H. 992 (MONTGOMERY) CANDOR COMM'RS AND MAYOR TERM.(5/31) S-REPTD FAV.
H. 993 (UNION) MONROE RECREATION COMM'N REPEAL. S-REPTD FAV.
H.1006 (BLADEN) WHITE LAKE TOWN BOUNDARIES. S-REPTD FAV.
H.1040 (GRANVILLE) OXFORD COMPENSATION AUTHORITY. S-REPTD FAV.
H.1053 (CLEVELAND, POLK, RUTHERFORD) LEGALIZED BINGO. S-REPTD FAV AS AMENDED.
H.1065 (CARTERET) SHERIFF'S SUCCESSOR. S-REPTD FAV.
H.1079 (ALAMANCE) BURLINGTON PROPERTY SALES. S-REPTD FAV.
H.1092 (GRAHAM) CHAIRMAN OF BD. OF COMM'RS-SALARY. S-REPTD FAV.
H.1107 (GRAHAM) TRANSFER OF SURPLUS FUNDS. S-REPTD FAV.
H.1108 (CHEROKEE) MURPHY TOWN LIMITS.(6/04) S-REPTD FAV.
H.1148 (CUMBERLAND) FAYETTEVILLE FIREMEN'S FUND. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
H.1149 (WAKE) KNIGHTDALE POLICE FIRE POWERS. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
H.1150 (ROCKINGHAM) REIDSVILLE ABC PROFITS. S-REC FROM HOUSE; S-REF TO COM ON ABC.
H.1152 (ALAMANCE) BURLINGTON SCHOOL BD. PROPERTY. S-REPTD FAV.
H.1159 (PITT) FARMVILLE CHARTER.(6/11) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
H.1161 (MECKLENBURG) CHARLOTTE AIR RIGHTS OVER STREETS. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
H.1162 (IREDELL) STATESVILLE REALTY, UTILITIES SALE. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
H.1202 (ASHE) PAVING GARBAGE DUMP ROAD. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
H.1239 (BUNCOMBE) WOODFIN WATER-SEWER DIST.. S-REPTD FAV; S-PASSED 2ND & 3RD READING.

Next Session of Senate. 11:45 a.m., Tuesday, June 15, 1971.

Next Session of House: 12:00 noon, Tuesday, June 15, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 110

-1003-

TUESDAY, JUNE 15, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 789 First mortgage lending limit (Iden. H 1210) GS 24
Introducer: Warren and others Sent to BANKS

"To amend G.S. 24-1.2 to limit certain first mortgage lending." Identical with H 1210 digested in Bulletin No. 106, p. 959.

S 790 School counselor-privileged comm. (Iden. H 1263) GS 8
Introducer: Staton Sent to EDUCATN

"For privileged communications between students and school counselors." Identical with H 1263, digested in the House section of today's Bulletin.

S 791 Mental Retardation Council GS 35
Introducer: Scott Sent to ST GOVT

"To rewrite Article 12 of Chapter 35 of the General Statutes to amend the membership and expand the concerns of the Council on Mental Retardation." Rewrites GS 35-73 to create Council on Developmental Disabilities to be appointed by the Governor. Eleven members to be from State Government and agencies as follows: two members from Senate; two from House; and one each from Dep'ts of Public Instruction, Juvenile Correction, Vocational Rehabilitation, Social Services, Mental Health, Administration, and Board of Health. Eight members to be designated consumers (or their representatives) of services for developmentally handicapped, of which one shall be from NC Association for Retarded Children, one from United Cerebral Palsy of NC, one from NC Chapter of Epilepsy Foundation, and five at large. Members appointed from State Gov't to serve at pleasure of Gov. and members from present Retardation Council to serve out appointed terms; other members to be appointed for staggered terms. Rewrites GS 35-74 to give new Council following functions: (1) to provide advice to agency administering "Public Law 91-517, the Developmental Disabilities and Facilities Construction Amendments of 1970" and other State agencies; (2) to study ways to promote public understanding of developmental disabilities and advise Gov.; (3) to submit plan on services for those with disabilities (4) to coordinate programs of state agencies and review agency budgets before submission to Advisory Budget Commission. Adds new GS 35-74.1 to define "developmental disabilities" as those attributal to mental retardation, cerebral palsy, epilepsy, etc., requiring treatment similar to that for mental retardation, which originates before age 18 and is expected to continue indefinitely. Defines "service for person with developmental disability" to include diagnosis, evaluation, treatment, day care, special living arrangements, education, sheltered employment, counseling, etc. Conforms GS 35-75, 35-76, and 35-77. Effective July 1, 1971.



S 792 Political advertising rates
Introducer: Coggins

GS 1
Sent to MFG LABR

"Establishing the commercial advertising rate as the maximum rate for political advertising in newspapers, periodicals, and radio and television stations or network stations operating within the State." Adds new GS 1-600 as title indicates, prohibiting newspapers, periodicals, and radio and television stations from charging, and candidates or political organizations from paying, advertising rates in excess of those charged for commercial advertising. Makes violation a misdemeanor punishable by \$500 fine, 6 months imprisonment, or both.

S 793 Nonresident tuition increase (Iden. H 1087)
Introducer: Baugh

GS 116
Sent to HIGHR ED

"To require nonresident students at the State's institutions of higher education to pay tuition that approximates the cost of their education." Identical with H 1087, digested in Bulletin No. 96, p. 844.

S 794 No parking lights
Introducers: Bowles and Burney

GS 20
Sent to HY SAFETY

"To prohibit the use of only parking lights while vehicle is in motion." Adds new sentence to GS 20-129(a) as title indicates.

S 796 Conforming statutes to GS Ch. 7a
Introducer: Bailey

GS 43, 44, 45, 46, 47, 48, 49,
50, 51
Sent to COURTS

"To amend various sections of General Statutes Chapters 43, 44, 45, 46, 47, 48, 49, 50 and 51 to conform to the structural and organizational provisions of the General Court of Justice as set forth in Chapter 7A." As title indicates, makes technical conforming changes. Effective Oct. 1, 1971.

S 797 Exec. secretaries of elections bds.
Introducer: Alley

GS 163
Sent to POLICIES

"To rewrite G.S. 163-67.1 relating to executive secretaries to county board of elections." Rewrites GS 163-67.1 to provide compensation for executive secretary shall not be less than minimum daily compensation now required to be paid to registrars as provided in GS 163-46, and minimum daily compensation for secretaries in counties operating under modified full-time system as provided in GS 163-67(b) and prescribed by State Bd. of Elections shall not be less than \$20 per day as determined by respective plans adopted by State Bd. of Elections. Specifies hours required under plans adopted by Bd. pursuant to GS 163-67(b) shall constitute a day. Also adds provision in counties operating under GS 163-67(b), that chairman of county bd. of elections shall be eligible to serve as executive secretary upon majority vote of county elections bd. and he shall perform such additional duties ex officio. Effective July 1, 1971.

HOUSE

H 1261 (Joint Resolution) Higher ed. study comm'n
introducers: Jones and others

STUDY, GS 116
Sent to HIGHR ED

"Creating the Legislative Study Commission on Higher Education." Creates Legislative Study Comm'n on Higher Educ. consisting of six members appointed by President Pro Tempore of Senate (at least one of whom shall be member of minority party) and nine members appointed by Speaker of House (at least one from minority party) and requires appointees not be currently serving as members of Bd. Higher Educ. or trustees, officers, faculty, or employees of any institution of higher ed., nor member of Governor's Study Comm'n on Higher Educ., nor more than two members be graduates of same institution of higher ed. Members to be appointed on July 1, 1971, or as soon thereafter as practicable. Requires Comm'n to make thorough study of higher education for purpose of determining need for restructuring higher education in State, and if such need is determined to exist, to make recommendations to 1973 General Assembly as to how this need should be met; also requires interim reports to members of General Assembly after January 1, 1972. Provides for written report summarizing information obtained during its study, setting forth findings and conclusions, and appropriate legislation if such is recommended. Authorizes Comm'n expenses to be paid from Contingency and Emergency Fund pursuant to GS 143-12.

H 1262 Insur. premium tax exemption
Introducer: Lilley

GS 105
Sent to FINANCE

"To exempt from North Carolina premium tax premiums received by insurers in connection with certain plan qualified under the Internal Revenue Code." Adds provision to GS 105-228.5 permitting every insurer, in computing premium tax, to exclude from gross amount of premiums all premiums received on or after July 1, 1971 from policies or contracts issued in connection with funding of a pension, annuity or profit-sharing plan qualified or exempt under Sec. 401, 403, 404 or 501 of US IRC, and makes gross amount of all such premiums exempt from tax levied by this section.

H 1263 School counselor-privileged comm. (Iden. S 790)
Introducer: Bundy

GS 8
Sent to EDUCATN

"For privileged communications between students and school counselors." Adds new GS 8-53.4 providing that no duly certified and appointed school counselor is competent to testify in any proceeding concerning information acquired in rendering counselling services to a student enrolled in his school unless the student waives the privilege in open court or unless the presiding judge believes the information is necessary to the administration of justice and compels disclosure.

H 1264 Bd. of Higher Education-powers-2
Introducer: Fenner

GS 116
Sent to HIGHR ED

"To improve the coordinating of higher education." Amends GS 116-158(5), (6), (7), and (8) in same manner as S 766 (digested in Bulletin No. 106, p. 956). Also adds new GS 116-158(9) requiring Board--with cooperation of concerned organizations--to establish Educational Opportunities Information Center to provide information and assistance to prospective college and university students and to public and private institutions on matters relating to student admissions, transfers and enrollments.

Permits applicant for admission to an institution, who is not offered admission, to request institution send to Center non-confidential information concerning his application and Center to direct him to other institutions and direct other institutions to applicant. Authorizes Center to conduct studies and analyses of admissions, transfers and enrollment as it deems appropriate. Rewrites GS 116-143 to provide Bd., in consultation with senior institutions of higher ed., shall review and approve tuition and fee charges for such institutions, taking into consideration nature of each institution, program of study, cost of equipment and maintenance and other relevant factors (now tuition set by individual bd. of trustees of institutions). Requires bds. of trustees to collect advance deposit of not less than \$100 from each accepted applicant, to be applied against student's tuition and fees for academic term for which he has been accepted. Failure to pay within three weeks after acceptance creates presumption that applicant has withdrawn application, and makes provision for refund if student decides not to attend and gives institution sufficient notice. Requires \$50 advance deposit from each student planning to return for succeeding academic year, and \$10 non-refundable application fee to accompany each application. Rewrites GS 116-144 to permit Bd. of Higher Ed. to approve higher rates for tuition for non-resident students (now bds. of trustees so empowered). Authorizes disbursements from Contingency and Emergency Fund on recommendation of Governor to cover additional responsibilities of Bd. created by bill. Effective October 1, 1971.

H 1266 Poll watchers-qualifications
Introducer: Harrelson

GS 163
Sent to ELECTION

"To amend G.S. 163-45 to provide that poll watchers shall be registered voters in the county where appointed." Amends GS 163-45 as title indicates (now, poll watcher must be registered voter in precinct for which appointed).

H 1267 Precinct officials-appointments
Introducer: Harrelson

GS 163
Sent to ELECTION

"Relating to the recommendation and appointment of precinct officials." Amends GS 163-41 to require county board of elections to choose registrar and judges of election for each precinct from lists submitted by chairman of each political party, when such lists are submitted by said chairmen (now, appointment from such lists is permissive).

H 1268 Bds. of elections-terms of office
Introducer: Harrelson

GS 163
Sent to ELECTION

"To fix the terms of office for members of county board of elections at four years." Amends GS 163-30 to make terms of office for members of county boards of elections four years (now two years).

H 1269 Precinct officials-vacancies
Introducer: Harrelson

GS 163
Sent to ELECTION

"Relating to the filling of vacancies among precinct officials." Adds new provision to GS 163-41 granting county chairman of political party of person causing vacancy right to recommend two names of registered voters in precinct and requires vacancy be filled from those recommended if written recommendation has been received by county board of elections within ten days after vacancy occurred.

H 1270 Taxing property hauling vehicles
Introducer: Short

GS 20
Sent to ROADS

"To amend G.S. 20-88 to establish a single tax rate for private haulers, contract carriers, common carriers and exempt for-hire carriers." Amends GS 20-88(b) to establish uniform rate per hundred pound gross weight for the registration and licensing of all property hauling vehicles (other than farmer vehicle rates, which remain the same), the new rate schedule to be identical with that presently charged private haulers (which is less

than present rates for contract carriers, common carriers, and exempt for-hire carriers).

LOCAL BILLS INTRODUCED

SENATE

S 795 High Point police jurisdiction
Introducers: Bowles, McLendon, and Murrow
GUILFORD
Sent to LOC GOVT

"To extend the police jurisdiction of the City of High Point to encompass the corporate limits of the town of Jamestown." Authorizes governing bodies of City of High Point and Town of Jamestown to enter contract by which City of High Point will furnish police protection to territory within corporate limits of Jamestown.

S 798 County airport authority (Iden. H 1265)
Introducer: Alley
HAYWOOD
Sent to LOC GOVT

"To enable the County of Haywood to establish an airport authority for the maintenance of airport facilities in the county." Identical with H 1265 digested in House section of today's Bulletin.

HOUSE

H 1265 County airport authority (Iden. S 798)
Introducer: Messer
HAYWOOD
Sent to LOC GOVT

"To enable the County of Haywood to establish an airport authority for the maintenance of airport facilities in the county." Creates Haywood County Airport Authority composed of five members, appointed to four-year staggered terms by County Bd. of Comm'rs, to serve without pay. Sets forth powers of Authority in detail. Authorizes County to grant and convey real or personal property to authority upon terms agreed upon between Authority and Bd. of Comm'rs; grants power of eminent domain to Authority to acquire land for airport. Requires Authority to make annual report to Comm'rs.

H 1271 Finance Act
Introducer: Hightower and Clark
ANSON
Sent to LOC GOVT

"Amending Section 32 of Chapter 81 of the Public Laws of 1927, as amended, being a part of the County Finance Act, extending the time within which funding and refunding bonds may be issued in Anson County." As title indicates, providing bonds may be issued within 9 (now, 5) years after bond order takes effect.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 302 Dual office holding (digested in Bulletin No. 48, p. 346)
Amendment adopted in Senate 6/15/71 removes federal appointive or elective office from operation of GS 128-1.1; provides forfeiture of all rights and emoluments incident to office in event of violation (originally, \$200 forfeiture); and makes technical change.

S 490 Abolishing gov't'al immunity (digested in Bulletin No. 75, p. 597)
Amendment adopted in Senate 6/15/71 makes effective date of new Chapter 158A October 1, 1971 (originally, July 1, 1971).

S 562 Not on Sunday (digested in Bulletin No. 82, p. 675)

Amendments adopted in Senate 6/15/71 make following changes: (1) provide act shall not apply in Counties of Dare, New Hanover, Pender, Brunswick, Carteret, Craven, and Pamlico; (2) provide act shall not apply to manufacturing establishments, common carrier pipe lines, and cemeteries; (3) exempt from act athletic events, concerts, drive-in movies, races of any type, and the sale of sporting goods, real estate, and mobile homes.

S 595 Technical corrections-Gen. Stats (digested in Bulletin No. 86, p. 717)

Amendment adopted in Senate 6/15/71 makes further technical corrections.

S 624 (CASWELL) Yanceyville incorporation (digested in Bulletin No. 89, p. 757)

Amendment adopted in Senate 6/15/71 makes technical corrections.

S 664 Abandonment of roads (digested in Bulletin No. 94, p. 808)

Amendment adopted in Senate 6/15/71 provides bd. county comm'rs shall be deemed to have consented to abandonment of road only after notice by registered mail to bd. by State Highway Comm'n of its intended action to formally remove road from state highway system when bd. fails to file complaint pursuant to GS 136-64 (originally no notice required), and makes technical correction.

HOUSE BILLS

H 146 Repealing annexation exemption (digested in Bulletin No. 17, p. 110)

Amendment adopted in Senate 6/15/71 provides act not to be effective unless majority voting in special election vote in favor of placing Cumberland County under the general municipal annexation laws, with election to be held on same day as special election on the consolidation of the County and City Boards of Education provided for in S 616.

H 320 Doctors' speed limits (digested in Bulletin No. 33, p. 230)

Committee Substitute adopted in House 6/15/71 adds medical doctors to list of those to whom motorists must yield right-of-way.

H 610 Local Government Finance Act (digested in Bulletin No. 61, p. 451)

Committee Substitute adopted in House 6/15/71 makes following changes:

(1) deletes requirement that estimate of property tax collection in annual budget may not be less than 5% below percentage actually collected during prior fiscal year;
(2) eliminates separate office of accountant and treasurer, and substitutes single finance officer performing duties assigned to accountant and treasurer in original bill;
(3) adds requirement that all checks issued by local government bear two signatures, and adds authority for Local Government Commission to require modifications in internal control procedures when necessary to prevent embezzlement or mishandling of funds.

In Local Government Bond Act and Local Government Revenue Bond Act, eliminates requirement that Local Government Commission find that unit is not in default in debt service obligations before bond issues may be approved. In Local Government Revenue Bond Act, adds new section (similar to present GS 160-415(2)) providing that utilities or enterprises financed by revenue bonds shall be operated for users inside corporate limits, and may be operated "incidentally" for outside users.

H 801 Ind'l revenue-antipollut. facils. (digested in Bulletin No. 75, p. 601)

Committee Substitute adopted in House 6/15/71 is identical with Committee Substitute for S 498, digested in Bulletin No. 109, p. 996.

H 1053 (POLK, CLEVELAND, RUTHERFORD) Legalized bingo (digested in Bulletin No. 95, p. 831)

Amendment adopted in Senate 6/15/71 adds requirement that only charge to play bingo be an admission charge collected prior to beginning of play.

SENATE AND HOUSE

CALENDAR ACTION

JUN.15,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 96 ENVIRONMENTAL BILL OF RIGHTS.(5/05, 6/09, 6/10, 6/11) S-REC TO CONCUR H AMENDS; S-PLACED ON CAL JUNE 16.
S. 249 PODIATRY DEFINED. H-PASSED 2ND READING.
S. 302 DUAL OFFICE HOLDING.(6/15) S-COM AMEND ADOPTED; S-PASSED 2ND READING.
S. 398 SAVINGS & LOAN ASSOC.-POWERS.(5/13) H-PASSED 2ND READING.
S. 411 CRIMINAL JUSTICE TRAINING COUNCIL. S-REPTD FAV AS AMENDED.
S. 453 CRIMINAL JUSTICE ACADEMY. S-REPTD FAV AS AMENDED.
S. 460 WATER,AIR RES.-INTEREST CONFLICT.(6/09) H-REC FROM SENATE; H-REF TO COM ON WATER.
#S. 473 CAPITAL CRIME GUILTY PLEA.(5/19) RATIFIED CH. 562.
#S. 489 LICENSING LIVESTOCK DEALERS.(5/24) H-REPTD UNFAV.
S. 490 ABOLISHING GOV'TAL. IMMUNITY.(6/15) S-FLOOR AMEND ADOPTED; S-RE-REF COM ON JUDIC 1.
S. 498 IND'L REVENUE-ANTIPOLLUT. FACILS..(6/14) S-PASSED 2ND READING.
#S. 526 NC PROJECTS-LOCAL INSPECTION. RATIFIED CH. 563.
#S. 562 NOT ON SUNDAY.(6/15, 6/15) S-COM AMENDS ADOPTED; S-FLOOR AMENDS ADOPTED; S-TABLED.
S. 595 TECHNICAL CORRECTIONS-GEN. STATS..(6/15) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
S. 623 INCORPORATE CITY IN SANIT. DIST.. S-REPTD FAV.
S. 638 AUTO INSUR. CLASS. 260 PLAN. H-REPTD FAV.
#S. 650 DISTRIBUTING HARMFUL FOOD.(6/08) RATIFIED CH. 564.
S. 653 VEHICLE RECIPROCITY AGREEMENTS.(6/14) S-REC TO CONCUR IN H AMEND; S-PLACED ON CAL JUNE 16.
S. 656 OFF-SITE COMPONENTS APPROVAL. S-PASSED 2ND & 3RD READING.
S. 662 HIGHWAY RELOCATION ASSISTANCE. S-PASSED 2ND & 3RD READING.
S. 663 CONDEMNATION FOR PARKWAYS. S-PASSED 2ND & 3RD READING.
S. 664 ABANDONMENT OF ROADS.(6/15) S-COM AMEND ADOPTED; S-PASSED 2ND READING.
S. 665 HIGHWAY DISTRICT CAMP SITES. S-PASSED 2ND & 3RD READING.
#S. 666 HIGHWAY RIGHT-OF-WAY REMNANTS. S-REPTD UNFAV.
S. 667 UNIFORM RELOCATION ASSISTANCE ACT. S-REPTD FAV AS AMENDED.
#S. 705 ACCIDENT CASE FILES TERMINATION. H-REPTD UNFAV.
#S. 716 INDIGENT'S WAIVER OF COUNSEL. H-FAILED 3RD READING.
S. 726 CPA CERTIFICATE FEES. H-REC FROM SENATE; H-REF TO COM ON FINANCE.

- S. 760 (J.RES.) MEMORIALIZING RALPH W. SLATE. H-REC FROM SENATE;
H-REF TO COM ON RULES.
- S. 763 MOVING MOBILE HOMES. H-REC FROM SENATE; H-REF TO COM ON PUB
UTIL.
- S. 787 AUTO DEALERS LICENSE. S-RECALLED FROM COM; S-RE-REF COM ON
JUDIC 1.
- H. 51 OPEN PUBLIC MEETINGS.(3/18, 3/23, 3/24, 6/03, 6/10, 6/11)
H-REPTD FAV.
- H. 87 JUDICIAL STANDARDS COMMISSION.(5/25, 6/14) H-REC TO CONCUR S
AMENDS.
- H. 91 INDECENT EXPOSURE ACT.(5/24, 6/01) S-REPTD FAV.
- H. 153 MUNICIPAL LAW REVISION.(6/04) H-PASSED 3RD READING.
- H. 247 NAME CHANGE,COURT RECORDS.(4/27, 4/29) S-REPTD FAV.
- H. 283 NARCOTIC DRUGS-VEHICLE CODE.(4/20, 5/05, 5/07, 5/10) S-PASSED
2ND READING.
- H. 320 DOCTORS' SPEED LIMITS.(6/15) H-REPTD FAV COM SUBSTITUTE; H-COM
SUBSTITUTE ADOPTED.
- H. 342 INCREASE LIMITS NO-BID CONTRACTS. S-REPTD FAV.
- #H. 390 STATE PAY INMATE TRANSFER COST. H-REPTD UNFAV.
- H. 434 DIVIDENDS,CASH OR PROPERTY.(6/11) H-POSTPONED TO JUNE 24.
- H. 484 STREET CLOSING-COUNTIES.(5/26) S-REPTD FAV.
- H. 528 DRIVER POINT REDUCTION-CLINIC.(5/12, 6/09) H-REPTD FAV.
- #H. 572 EXEMPTING EMCS AND TMCS. RATIFIED CH. 565.
- H. 596 SECURITIES LAW EXEMPTION.(6/03) S-PASSED 3RD READING.
- H. 610 LOCAL GOVERNMENT FINANCE ACT.(6/15) H-REPTD FAV COM
SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 630 MASS GATHERINGS-REGULATION.(6/04, 6/10) S-REC FROM HOUSE;
S-REF TO COM ON JUDIC 2.
- #H. 751 FEEDING GARBAGE TO SWINE. RATIFIED CH. 566.
- #H. 752 DEAD DOMESTIC ANIMALS DISPOSITION.(6/04) RATIFIED CH. 567.
- H. 784 MENTAL HEALTH COUNCIL. S-REPTD FAV.
- H. 801 IND'L REVENUE-ANTIPOLLUT. FACILS..(6/15) H-REPTD FAV COM
SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 832 PUBLIC ASSISTANCE-US PROGRAMS.(5/10) H-REPTD FAV.
- H. 858 PORTS AUTHORITY EARNINGS. S-PASSED 3RD READING.
- #H. 918 NO UNMARKED HIGHWAY PATROL CARS. H-REPTD UNFAV.
- H. 959 HOSPITAL FACILITIES FINANCE ACT.(5/28, 5/28) S-PASSED 2ND
READING.
- H. 976 CORRECTING ERROR,SL 1971,CH. 362. S-REPTD FAV.
- H. 985 CONFORM GS 115 TO CONSTITUTION.(6/14) H-PASSED 3RD READING.
- H. 990 CIVIL AIR PATROL LICENSE PLATES.(6/02) S-REPTD FAV.
- H.1000 AUTO INSUR. CLASS. 260 PLAN. H-REPTD FAV.
- H.1015 ELECTION OFFICIALS' PAY. S-REPTD FAV.
- H.1020 LICENSE TAXES-CAMPGROUNDS.(6/03) S-PASSED 3RD READING.
- H.1027 LICENSE FEE-CHIROPRACTOR. H-RECALLED FROM SENATE; H-REC FROM
SENATE; H-RECONSID 3RD & 2ND RDNGS; H-PASSED 2ND READING.
- H.1041 COUNTY & CITY AUXILIARY POLICE.(6/04) S-REPTD FAV.
- H.1081 NO DISCRIMINATION HANDICAPPED. S-REC FROM HOUSE; S-REF TO
COM ON ST GOVT.
- #H.1088 COUNTY LANDFILL FUNDS. RATIFIED CH. 568.

- H.1118 SAVINGS & LOAN LOSS RESERVES. H-REPTD FAV.
- H.1209 STANDING FOR STANDARDS. H-REPTD FAV AS AMENDED.
- H.1213 SECURITIES INVESTMENT LAW. H-REPTD FAV.
- H.1227 COSMETIC ART BD. EX'S SALARIES. S-REPTD FAV.

LOCAL BILLS

- #S. 467 (ONslow) SWANSBORO CHARTER REVISION.(6/01) RATIFIED CH. 561.
- S. 624 (CASWELL) YANCEYVILLE INCORPORATION.(6/15) S-COM AMEND ADOPTED; S-PASSED 2ND READING.
- S. 702 (MECKLENBURG) MIXED DRINKS-ELECTION.(6/03) H-PLACED CAL FOR JUNE 16.
- S. 730 (HALIFAX) COUNTY COMMISSIONER DISTRICTS. S-REPTD FAV.
- S. 762 (ROBESON) ST. PAULS CHARTER. S-REPTD FAV.
- H. 146 (CUMBERLAND) REPEALING ANNEXATION EXEMPTION.(6/15) S-COM AMEND ADOPTED; S-FLOOR AMEND FAILED; S-PASSED 2ND READING.
- H. 406 (BLADEN) HY. DITCH DIGGING-WHITE LAKE. S-PASSED 2ND & 3RD READING.
- H. 584 (CATAWBA) LONG VIEW TAX DISCOUNTS. S-PASSED 2ND & 3RD READING.
- H. 658 (CARTERET) EMERALD ISLE CORPORATE LIMITS. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 666 (GUILFORD) GREENSBORO HOUSING AUTH. MEMBERSHIP. S-PASSED 2ND & 3RD READING.
- H. 880 (DURHAM) DURHAM HOUSING AUTHORITY.(5/28) S-PASSED 2ND & 3RD READING.
- H. 899 (WASHINGTON) COUNTY GARBAGE FACILITIES.(5/24) S-REPTD FAV.
- H. 955 (JOHNSTON) BENSON CHARTER REVISION.(6/04) S-REPTD FAV.
- H. 966 (ANSON) LILESVILLE CHARTER.(5/31) S-PASSED 2ND READING.
- H. 969 (JOHNSTON) AIRPORT AUTHORITY. S-REPTD FAV.
- H. 972 (ORANGE) JOINT TRANSPORTATION COMMISSION.(5/31) S-REPTD FAV.
- H. 987 (DURHAM) DURHAM CITY-COUNTY CHARTER COMM'N.(5/31) S-PASSED 2ND READING.
- H. 992 (MONTGOMERY) CANDOR COMM'RS AND MAYOR TERM.(5/31) S-PASSED 2ND & 3RD READING.
- H. 993 (UNION) MONROE RECREATION COMM'N REPEAL. S-PASSED 2ND & 3RD READING.
- H.1005 (PAMLICO) INCORPORATING MESIC.(5/31) S-REPTD FAV.
- H.1006 (BLADEN) WHITE LAKE TOWN BOUNDARIES. S-PASSED 2ND READING.
- H.1017 (CURRITUCK) REGISTER OF DEEDS' SALARY. S-REPTD FAV.
- H.1040 (GRANVILLE) OXFORD COMPENSATION AUTHORITY. S-PASSED 2ND & 3RD READING.
- H.1047 (GASTON) CHERRYVILLE FIREMEN RETIREM'T.(6/04) S-REPTD FAV.
- H.1053 (CLEVELAND, POLK, RUTHERFORD) LEGALIZED BINGO.(6/15) S-COM AMEND ADOPTED; S-PASSED 2ND READING.
- H.1065 (CARTERET) SHERIFF'S SUCCESSOR. S-PASSED 2ND & 3RD READING.
- H.1074 (CLEVELAND) SHELBY FILING FEES. S-REPTD FAV.
- H.1079 (ALAMANCE) BURLINGTON PROPERTY SALES. S-PASSED 2ND & 3RD READING.

- H.1092 (GRAHAM) CHAIRMAN OF BD. OF COMM'RS-SALARY. S-PASSED 2ND & 3RD READING.
- H.1093 (GATES) GATESVILLE TOWN LIMITS. S-REPTD FAV.
- H.1100 (MECKLENBURG) NUMBER OF HOSPITAL COMMISSIONERS. S-REPTD FAV.
- H.1107 (GRAHAM) TRANSFER OF SURPLUS FUNDS. S-PASSED 2ND & 3RD READING.
- H.1108 (CHEROKEE) MURPHY TOWN LIMITS.(6/04) S-PASSED 2ND READING.
- H.1119 (RICHMOND) HAMLET ABC FUNDS. S-REPTD FAV.
- H.1120 (RICHMOND) ROCKINGHAM ABC FUNDS. S-REPTD FAV.
- H.1126 (DURHAM) DURHAM FIREMEN RETIREMENT. S-REPTD FAV.
- H.1150 (ROCKINGHAM) REIDSVILLE ABC PROFITS. S-REPTD FAV.
- H.1152 (ALAMANCE) BURLINGTON SCHOOL BD. PROPERTY. S-PASSED 2ND & 3RD READING.
- #H.1239 (BUNCOMBE) WOODFIN WATER-SEWER DIST.. RATIFIED CH. 569.

Next Sessions of Senate and House: 12 noon, Wednesday, June 16, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 111

-1013-

WEDNESDAY, JUNE 16, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 799 Classif. of residences-prop. tax (Iden. H 1286) GS 105
Introducers: Baugh and Moore Sent to FINANCE

"Relating to the classification, appraisal, valuation, assessment, and taxation of real property." Adds new GS 105-295.1 classifying "real property used solely as a principal residence by its owner" as a special class of property under Art. V of NC Const. Provides such property must have been used in that manner for at least one full year immediately preceding tax year for which classification sought. Defines "principal residence" to include land (up to three acres), buildings, outbuildings and improvements actually occupied by owner or immediate family solely as place of residence for at least 6 mos of each calendar year. Directs assessor in valuing property so classified to consider only factors relating to current use as residence, and prohibits taking account of location next or near to land used for non-residential purposes.

Requires owner seeking to have property classified to make application to county tax supervisor on or before Jan. 1 of tax year for which classification sought, with burden on owner of proving it residential. Sets forth matter required to be in application. Provides Bd. of Equal. and Review to determine classification based on application and recommendation of tax supervisor. Provides that classification to continue for so long as property used as principal residence, except that new application must be made on or before April 1 of the year preceding each revaluation year. Permits appeal from county Bd. of Equal. and Review to State Bd. of Assessment.

Requires owner to file notice of intent to change use of classified property (including date change will occur) at least 30 days before date of change as stated in notice, or actual date of change, whichever earlier. Provides that persons willfully failing or refusing to file notice are guilty of misdemeanor and may be fined up to \$50 or imprisoned up to 30 days. Provides failure to file is prima facie evidence of willful intent. Makes corresponding amendments to GS 105-279(3). Effective July 1, 1971.

S 800 Public drunk-noncriminal-2 GS 7A, 14, 18
Introducers: Gudger and Strickland Sent to CORRECTN

"To provide for noncriminal disposition and rehabilitation of chronic alcoholics." Adds new Article 24 to GS Ch. 7A. Defines "chronic alcoholic." Grants district court judge designated by chief district judge exclusive jurisdiction over any case involving any person allegedly or assertedly an alcoholic. Provides any court abating charge of public drunkenness (as described below) may retain jurisdiction over such person for up to 5 years, and that judge may defer action on public drunkenness case for up to 5 days (detention to be in facility approved by local health director for such purposes) upon determination person is likely to endanger himself or others. Provides in prosecution for public drunkenness under GS 14-335 where chronic alcoholism is asserted by defendant as a defense, judge, after finding as a fact that defendant was drunk in public place and



is a chronic alcoholic, may suspend prosecution and commit person to alcoholic rehabilitation center for indeterminate period of 3 days to 6 months; that two previous convictions for public drunkenness within previous 12-month period raise rebuttable presumption that defendant is a chronic alcoholic who may be sentenced for 3 day-6 month period; and that except in cases of indigency committed person is liable for costs of stay in rehabilitation center. Provides for abatement of public drunkenness charge suspended as indicated above if after 6 month period director of rehabilitation center has not indicated defendant is not in fact a chronic alcoholic. Makes failure of person to comply with rehabilitation center regimen grounds for extended custody of up to 2 years at agricultural confinement center operated by rehabilitation center. Permits chronic alcoholic to undergo treatment in private alcoholic rehabilitation center as alternative to sentence to other center, and provides for certification of those private centers acceptable as alternatives to publicly-operated centers. Directs Dep't of Mental Health to establish agricultural custody facility for exclusive purpose of remedial custody of chronic alcoholics, **to be** staffed by Dep't of Correction guard personnel and rehabilitation center medical personnel, and provides for review of each person's case not less than every 4 months. Provides for review of district court findings by Wake Superior Court, with pendency of appeal not to stay court's order longer than 10 days unless 2 medical doctors certify appellant is not a chronic alcoholic. Adds new GS 18-85.3 levying new tax on retail sale of distilled spiritous liquors of 5¢ for each 3 1/3 ounces, with proceeds of tax to be disbursed by State Treasurer to Mental Health Board for operation of rehabilitation and agricultural centers. Effective July 1, 1972, except tax levy effective July 1, 1971. (For related bill see S 179 - H 318, digested in Bulletin No. 32, p. 223.)

S 802 Regional sewage disposal systems
Introducers: Allen and Patterson

GS 162A
Sent to CONS & DEV

"To encourage and promote regional sewage disposal systems, and to define the functions of the State Department of Water and Air Resources and the State Department of Administration in relation to planning of regional sewage disposal systems." Adds new Art. 3 to GS Ch. 162A, entitled "Regional Sewage Disposal Planning." Defines regional sewage disposal system as system of one or more political subdivisions of NC which provides or is intended to provide or is capable of providing adequate sewage collection, treatment, purification and disposal to substantial portion of people in a county, or in a region or metropolitan area consisting of all or parts of 2 or more counties. Directs St. Bd. of Water and Air Resources to: (1) identify major sources of sewage for regional and interconnected systems; (2) identify areas of State suitable for regional systems; (3) establish priorities for regionalization; (4) develop plans for connecting proposed regional systems to major sewage sources, and for system interconnections; (5) review and approve plans for regional systems, and for intra-regional systems compatible with regional plan; (6) administer State program of financial aid to local and regional planning agencies for development of comprehensive plans for regional systems, or for county systems compatible therewith; and (7) provide technical assistance to local and regional planning agencies and to engineering consultants.

Establishes within Dep't of Admin. a Regional Sewage Disposal Planning Revolving Fund, made up of **appropriated** and other funds. Authorizes Dep't to advance funds to political subdivisions for cost of advance planning and engineering for development of comprehensive regional sewer system plan. Requires Dep't of Admin., before making advances, to first refer application to St. Dep't of Water and Air Resources. Dep't of WAR to determine whether: (1) proposed area suitable for regional system; (2) applicant proposes to plan to meet sewage needs through regional system (with Dep'tal finding conclusive); (3) applicant proposes to coordinate sewer planning with land use planning; (4) applicant proposes to employ licensed engineer to develop plan as defined in the act.

Provides that if these conditions met, and if in addition, the Dep't of Admin. finds, for a system dependent on federal or state aid, there is reasonable prospect of such aid, and the Dep't has received firm assurances from applicant that project, if feasible, will be undertaken, then advances may be made.

Provides advances to be repaid from proceeds of bonds or other obligations for regional system, or other funds. Provides that if, in judgment of Dep't of WAR, proposed plan not feasible because of design and construction factors, or because of effect system will have on water quality standards, or because construction of system not economically feasible, repayment need not be made. Provides all advances to be repaid within one year from start of construction on system, or within six months after issuance of bonds for financing construction of system, or within 6 yrs of advance, whichever first. Allows Dep't to require repayment in installments. Authorizes Dep't of Admin. to adopt regulations for making of applications. Provides GS Ch. 159 not to apply to advances. Effective July 1, 1971.

S 803 Printing of Session Laws
Introducer: Patterson

GS 120, 147
Sent to RULES

"To amend the statutes governing printing of the Session Laws of North Carolina." Rewrites GS 120-34(a) to provide that Legislative Services Commission (now, Sec'y of State) to provide for printing of Session Laws, and to direct that signatures of presiding officers be omitted from each act (now, directs that certificate required to be endorsed be omitted, but that the date of ratification be included). Makes corresponding amendment to GS 120-32(7)(a), and deletes reference to NC Manual and Directory in that subsection.

Rewrites GS 147-54.1. Continues authorization to Sec'y of State to set up Division of Publications, but renames director thereof as Director of Publications. Restates duty of division to be to publish NC Manual, Directory, Index of Local Legislation and other publications useful to General Assembly and state and local officials. Provides division to perform other duties as assigned by Sec'y of State.

S 805 Judge election date
Introducer: Bailey

CONSTITUTION
Sent to COURTS

"To amend Chapters 451 and 560 of the Session Laws of 1971 to provide that the people shall vote on the proposed constitutional amendments contained therein at the next General Election rather than in November, 1972." Amends cited acts ("Retirement of Judges" and "Removal of Judges") as title indicates.

S 806 Inventory tax exemption
Introducers: Staton and others

GS 105
Sent to MFG LABR

"To classify and designate inventories of manufacturers and processors as a special class of property under Article V of the North Carolina Constitution and to exempt same from local ad valorem taxation." Adds new GS 105-294.5 exempting inventories of manufacturers and processors from local ad valorem taxation. Defines key terms, including: "taxpayer," "manufacturer," "processor," and "inventory." Provides beginning with listing for ad valorem taxes on Jan. 1, 1972, for fiscal year 1972-73, manufacturers and processors to list for ad valorem taxes quantity and value of inventories on hand as of Jan. 1 of each year as now provided by law. Provides for inventories on hand as of Jan. 1, 1972, assessment ratio be applied only to 90% of value of inventories; for fiscal 1973-74 80% of value of inventories on hand Jan. 1, 1973; fiscal 1974-75 70%; fiscal 1975-76 60%; fiscal 1976-77 50%; fiscal 1977-78 40%; fiscal 1978-79 30%; fiscal 1979-80 20%; fiscal 1980-81 10%. Provides inventories shall not be listed, appraised or assessed for taxation subsequent to fiscal 1980-81.

S 807 Gas station attendants required-2
Introducer: Burney

GS 119
Sent to MFG LABR

"Requiring attendants for all gasoline dispensing devices operated in the State."

Provides all gasoline dispensing devices shall have attendant on duty at all times, but that act shall not prevent customer's operating dispensing device so long as attendant is on duty on the premises. Directs Comm'r of Agriculture to enforce act. Provides act not to apply to gasoline dispensing devices not for use of general public. Makes violation of act misdemeanor punishable by \$50 fine, 30 days, or both, with each day in violation of act a separate violation. Effective Sept. 1, 1971. (For similar bill see S 588, digested in Bulletin No. 85, p. 709.)

S 808 Soft drink tax modifications
Introducers: Burney and Moore

GS 105
Sent to FINANCE

"To amend the Soft Drink Tax Act to provide an optional method for the payment of tax on certain soft drink products; exemption of fruit and vegetable juice concentrates; seizure provisions." Adds new GS 105-113.54(d) authorizing any licensed distributor or wholesale dealer not entitled to pay tax as provided in GS 105-113.56A to pay tax as follows with respect to bottled soft drinks: Beginning with sales on and after January 1, 1972, requires sales reports be made to Comm'r on or before fifteenth of each month, and based thereon, requires tax be remitted at rate of 1¢ per bottle, and permits discount of 8% of tax to be remitted. Provides persons paying tax in above manner subject to rules and regulations issued by Comm'r, including requirement to furnish bond. Adds new GS 105-113.56B providing optional method of paying excise tax levied upon powders, syrups, base products and other items subject to tax other than bottled soft drinks. Permits distributors and wholesale dealers beginning with sales made on and after January 1, 1972 to make reports to Comm'r on or before 15th of each month accompanied by tax due, less 8% discount of said tax to be remitted, subject to same regulations, rules, and possible bond requirement as above. Provides licensed retail dealer may notify Comm'r he desires to purchase, under optional method, non tax paid soft drink products directly from non-resident distributor, wholesale dealer, or retail dealer without tax having been paid thereon, and permits him to make such purchases upon receipt of written consent from Rev. Comm'r. Permits Comm'r to require bond of such purchaser, and prohibits discount allowance under optional method.

Adds new GS 105-113.56C making nonresident distributors, wholesale dealers and retail dealers bringing into State non-taxpaid soft drink products liable for payment of soft drink excise tax. Provides if tax not paid by such nonresident dealer, liability for payment accrues to resident distributor, wholesale dealer or retailer first receiving products in State. Permits resident dealer, after making request in writing and receiving approval from Comm'r, to assume liability for soft drink excise tax. Adds new GS 105-113.56D requiring tax be shown on invoice as separate from charges for soft drink products, and nonresident dealer to indicate on invoice whether tax is being paid by such nonresident dealer.

Adds new provision to GS 105-113.44(1) (definition of "base products") excluding liquid natural fruit juice and vegetable juice concentrates, whether frozen or unfrozen, and conforms GS 105-113.44(18) to this change.

Adds new GS 105-113.47A declaring all soft drink products subject to tax for which tax has not been paid contraband goods and permits any law officer or agent of Comm'r to seize same. After seizure of goods, gives taxpayer ten days in which to apply in writing to Comm'r for hearing before products are destroyed. Provides Comm'r's decision is final unless notice of intent to appeal to superior court given by taxpayer within ten days. Effective January 1, 1972.

HOUSE

H 1272 Local human relations programs
Introducers: Love and Arnold

GS 160, 153
Sent to LOC GOVT

"To authorize cities, towns and counties to undertake community and human relations programs, manpower development programs, and community action programs." Authorizes governing bodies of cities, towns and counties singly or jointly to undertake, supervise, and expend tax or non-tax funds for human relations programs, manpower development programs, and community action programs. Provides expenses for such programs to be necessary expenses for which tax revenues may be expended without prior approval of voters.

H 1273 Prison laundry service limits
Introducers: Rhyne and Webster

GS 148
Sent to CORRECTN

"To restrict the activities of the Department of Corrections laundry services." Stipulates laundry services performed by Dep't of Corrections may be provided only for agencies and instrumentalities of State and local political subdivisions of all kinds, including tax-supported hospitals. Limits such services to wet-washing, drying and ironing of flatgoods and those uniforms prescribed for wear by such institutions (excludes dry-cleaning).

H 1274 Judges-pension for spouses
Introducers: Beam and others

GS 7A
Sent to COURTS

"Relating to a pension plan for surviving spouses of Supreme Court Judges, Judges of the Court of Appeal and Superior Court Judges." Adds new GS 7A-39.12 permitting all surviving spouses of justices of Supreme Court and judges of Court of Appeals to make written request to Dir. of Budget, and thereafter be entitled to be paid \$6,000 per annum in equal monthly installments out of State Treasury upon warrants drawn thereon. Provides such compensation shall terminate upon subsequent remarriage of person. Adds new GS 7A-59.1 authorizing same pension plan for surviving spouses of Superior Court judges. Effective upon ratification and applicable to all persons who are presently surviving spouses and those who may become surviving spouses in future.

H 1275 (Joint Resolution) Sedimentation, pollution study STUDY, GS 143
Introducer: Bryan
Sent to WATER

"To provide that the North Carolina Board of Water and Air Resources conduct a study of sedimentation problems and pollution." Authorizes Bd. Water and Air Resources to conduct study of sedimentation problems and pollution and to formulate recommendations for control of pollution from sedimentation, and submit them to 1973 General Assembly, such recommendations to conserve soil and water resources without impeding essential economic development.

H 1281 Property insurance agents-exam.
Introducer: G. Jernigan

GS 58
Sent to INSUR

"To amend Chapter 58 of the General Statutes of North Carolina to provide for examination prior to licensing of agents writing property insurance." Amends GS 58-39.4(j) to define credit insurance agent as a person engaged in the business of selling credit insurance as defined in GS 58-72(17), not including credit life, credit accident, and health and hospital insurance. Amends GS 58-41.1(a)(6) to add credit insurance agents as defined above to list of persons not required to take examination as part of license application procedure (deletes credit property insurance agents). Effective April 1, 1972.

H 1282 DMV registration records
Introducer: R. Farmer

GS 20
Sent to ROADS

"To amend Chapter 20 of the General Statutes relating to records of the Registration Division of the Department of Motor Vehicles to provide greater flexibility and efficiency in record keeping." Amends GS 20-43 by deleting subsec. (b) which authorizes destruction of registration records that have been on file for three years. Amends 20-78(b) by deleting wording authorizing certificates of title to be destroyed after three years. Amends GS 20-55 and 20-56 by deleting requirement that records be kept on books or index cards.

H 1286 Classif. of residences-prop. tax (Iden. S 799)
Introducer: Vogler

GS 105
Sent to FINANCE

"Relating to the classification, appraisal, valuation, assessment, and taxation of real property." Identical with S 799, digested in the Senate section of today's Bulletin.

H 1287 Payment of bills-State hospitals
Introducer: Stewart

GS 143
Sent to JUDIC 1

"To provide that clerks of court holding funds for patients at certain State institutions shall apply such funds in payment of the cost of care and maintenance of such patients." Adds new GS 143-119.1 as title indicates for pupils, patients or inmates of any of the State institutions included in Art. 7, GS Ch. 143 (as listed in GS 143-117). Provides for retention of cash reserve to cover burial expenses of such pupils, patients and inmates.

H 1288 Primary elections in September
Introducer: Barbee

GS 163
Sent to ELECTION

"To change the time of primary elections to September." Amends GS 163-1(b) to change month of primary election from May to September. Effective July 1, 1971.

H 1290 Picking wild flowers
Introducer: Miller

GS 14
Sent to JUDIC 2

"To amend GS 14-129 relating to the taking of certain wild plants from the land of another." Amends cited act by adding list of items to definition of "ornamental plants or trees."

H 1291 School supervisors-12 month term
Introducer: Chase

APPROPRIATION, GS 115
Sent to APPROPRN

"To provide twelve months employment for public school supervisors and to appropriate funds to provide for this purpose." Provides beginning with fiscal 1972-73 public school supervisors shall be employed for 12 calendar months, paid at end of each month, and receive 1.25 days vacation for each month service (in addition to legal holidays). Provides each city and county board of educ. to adopt regulations as to duties of supervisors within term of employment. Appropriates \$801,036 for extended term from General Fund, sum to be in addition to sums recommended by Advisory Budget Comm'n for public education in 1971-73 biennium. Effective July 1, 1971.

H 1292 Ham vehicle licenses
Introducer: R. Brown and Mitchell

GS 20
Sent to ROADS

"Realtg to the fee for special license plates for amateur radio operators."
Amends GS 20-81.1(a) by increasing described fee from \$1 to \$5. Revenue from additional fee to be placed in Amateur Radio Registration Plate Fund," and after deducting cost and handling expenses, remaining moneys to be transferred to State Highway Commission pursuant to GS 20-181.3(c)(2).

H 1293 Housing authority investments
Introducer: S. Johnson

GS 157
Sent to JUDIC 1

"To amend G.S. Section 157-25 to clarify legal investments in obligations of housing authorities." Rewrites GS 157-25 to include as legal investments obligations of housing authorities bonds which may be issued notwithstanding any other limitations of Chapter by a not for profit corporate agency of a housing authority secured by rentals payable pursuant to Sec. 23 of U.S. Housing Act of 1937.

H 1294 (Joint Resolution) Public health services-study
comm'n

STUDY, GS 130
Sent to HEALTH

Introducers: S. Johnson and Chase

"Establishing a study commission on the organization and delivery of public health services in the State of North Carolina." Creates Legislative Study Comm'n on Organization and Financing of Public Health Services in North Carolina, to make study of current State-local relationships and responsibilities for the protection of the public health of the citizens of NC, including State and local financing of public health services, and with particular attention to statutory bases and administrative practices existing in other states. Provides for 15 members to take office July 1, 1971, with 2 appointed by Lieutenant Governor from the Senate membership, 2 by Speaker of House from House membership, and 11 by Governor representing various designated agencies and professions. Directs report be made to 1973 General Assembly along with appropriate recommended legislation. Provides for organization and staffing of Comm'n, permits Comm'n to accept gifts and grants, sets per diem expense compensation, and directs payment of expenses not covered by gifts and grants be taken from Contingency and Emergency Fund. Requires cooperation with Comm'n of State agencies and institutions, and provides for termination of Comm'n upon filing of report with 1973 General Assembly.

LOCAL BILLS INTRODUCED

SENATE

S 801 Board of Commissioners-compensation
Introducer: Gudger

BUNCOMBE
Sent to LOC GOVT

"To establish the compensation of members of the board of county commissioners of Buncombe County." Provides that, effective July 1, 1971, chairman of county commissioners to receive annual salary of \$17,500 (if he devotes full time to office); one other commissioner, to be designated by chairman, to receive \$9,500; and other commissioner \$1,800. Salaries to be paid from county general fund until county commissioners act to fix own salaries as provided in Ch. 180, SL 1969.

S 804 High Point Civil Service Act (Iden. H. 1289) GUILFORD
Introducers: Murrow, Bowles, and McLendon Sent to LOC GOVT

"To amend Chapter 114 of the Public-local laws of 1937, as amended, relating to the Civil Service Act of the City of High Point." Identical with H 1289 digested in House Section of today's Bulletin.

S 809 Lumberton school boundaries ROBESON
Introducer: Britt Sent to LOC GOVT

"To amend Chapter 638 of the 1967 Session Laws of the North Carolina General Assembly." Amends above section to redefine school boundaries as set forth in detail in bill.

HOUSE

H 1276 Registered instruments index FORSYTH, ORANGE
Introducers: Davis and McKnight Sent to JUDIC 1

"To amend G.S. 161.22 concerning the index and cross index of registered instruments as it pertains to Forsyth and Orange Counties." Provides in Forsyth and Orange the registries provided for in GS 161-22 ("Index and cross index of registered instruments") may be kept on microfilm.

H 1277 Sheriff's deputies-regulations YADKIN
Introducers: Haynes and J. Brown Sent to LOC GOVT

"To provide for increased authority of the Yadkin County Board of Commissioners concerning Sheriff's deputies." Authorizes Bd. County Comm'rs by unanimous vote to dismiss for cause satisfactory to Bd. not more than two deputies of Sheriff during any sheriff's term of office. Requires one month's written notice setting forth charges to sheriff and deputy sought to be dismissed prior to final action. Authorizes Bd. to establish salaries for deputies on individual basis, but prohibits decreasing any salary while individual so employed. Requires chief deputy sheriff to attend and successfully complete course in Police Science or Law Enforcement training provided by Institute of Government or community colleges or technical institutes. Effective Oct. 4, 1971.

H 1278 Board of education members NORTHAMPTON
Introducer: Martin Sent to EDUCATN

"To provide for the nomination and election of members of the Northampton County Board of Education." Provides Northampton Board of Educ. to consist of 7 members elected as presently provided by law. Appoints James H. Jones and Mrs. Roy B. Parker to Board, to hold office until their successors are elected and qualified in 1972 primary election.

H 1279 Board of Educ.-term of members MECKLENBURG
Introducers: Vogler, Beatty, Campbell, Cobb, Sent to EDUCATN
Foley, Hicks, and Lawing

"To fix the term of office of members of the Charlotte-Mecklenburg board of education." Provides for staggered 4-year terms for members of named board, beginning with those taking office first Monday in December, 1972. Full board to consist of nine members, and one member elected in 1976 to serve for only 2 years.

H 1280 Board of Educ.-pay of members
Introducers: Vogler, Beatty, Campbell, Cobb,
Foley, Hicks, and Lawing
MECKLENBURG
Sent to EDUCATN

"To fix the compensation of the Chairman and members of the Charlotte-Mecklenburg Board of Education." Authorizes payments of \$500 per month for chairman and \$300 per month for each member of board to be paid monthly out of funds derived from special school tax supplement or from current revenues. Also provides 10¢ per mile travel expenses.

H 1283 Monroe election procedure
Introducer: Clark
UNION
Sent to LOC GOVT

"To amend Chapter 498 of the 1959 Session Laws of North Carolina." Provides candidates for nomination for local office file 30 (now 15) days prior to primary. Provides for publication of names of candidates for 4 (now 2) successive weeks.

H 1284 Monroe school boundaries
Introducer: Clark
UNION
Sent to LOC GOVT

"To amend Chapter 147 of the Public Laws of 1897 to establish the boundaries of the Monroe City School Administrative Unit and to provide for an automatic extension of those boundaries upon extension of the corporate limits of the City of Monroe." Establishes Monroe City School Administrative Unit as title indicates, describing boundaries in detail. Provides all property within unit be subject to all taxes levied for unit for fiscal year beginning July 1, 1971. Effective June 30, 1971.

H 1285 Deer hunting-Black & South Rivers
Introducers: Green and Tart
BLADEN, PENDER, SAMPSON
Sent to WILDLIFE

"To prevent facilitation of the unlawful taking of deer with the aid of boats by means of placing a restriction upon the possession of firearms aboard motor-propelled vessels on the Black and South Rivers in Bladen, Pender and Sampson counties." As title indicates makes unlawful the possession of firearm aboard motor-propelled vessel during open season for taking deer. Authorizes enforcement officers of NC Wildlife Resources Comm'n to enforce act (not applicable to any person exempt from provisions of GS 14-169 with respect to any activities engaged in while carrying out his duties). Makes violation punishable by maximum \$50/30 days or both.

H 1289 High Point Civil Service Act (Iden. S 804)
Introducers: Short, Frye, Hunt, Payne,
Phillips, and M. Smith
GUILFORD
Sent to LOC GOVT

"To amend Chapter 144 of the Public-Local Laws of 1937, as amended, relating to the Civil Service Act of the City of High Point." Provides for High Point Civil Service Comm'n of 7 (now, 5) members, to serve terms of 4 (now, 5) years, with each of two major political parties to have 3 (now, 1) members on Comm'n. Provides for organization of Comm'n, pay of members, and makes extensive description of its duties and the manner in which they are to be carried out. Designates employees of City to come under act. Extends period of probation of all heads of departments from 6 to 12 month. Effective July 1, 1971.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 302 Dual office holding (digested in Bulletin No. 48, p. 346)

Amendment adopted in Senate 6/16/71 adds new subsection providing that any person holding an office or position in the federal postal system is authorized concurrently to hold one position in State or local government.

S 411 Criminal Justice Training Council (digested in Bulletin No. 63, p. 477)

Amendment adopted in Senate 6/16/71 deletes provision empowering Council to establish minimum salary and benefit standards for criminal justice officers.

S 445 NC Pesticide Law of 1971 (digested in Bulletin No. 68, p. 525)

Committee Substitute adopted in Senate 6/16/71 that: (1) Increases membership of Pesticide Board from five to seven, by adding one representative of agricultural chemical industry and one non-governmental conservationist; (2) increases membership of Advisory Committee from 11 to 15, by adding two farmers (three in all), one local health director and one representative of herbicide users (railroads, utilities or State Highway Comm'n); (3) eliminates provisions of original bill requiring registration of employees of licensed dealers and applicators; (4) rewrites definition of "restricted use pesticide" as one which (either because of its relative toxicity, its relative persistence, or otherwise) is so hazardous or injurious to persons, pollinating insects, animals, crops, wildlife, land or the environment (other than the object of the pesticide) that restrictions on sale, use, purpose or possession are required; (5) exempts State and local licensed applicators from license fees, and simplifies license qualifications for local government applicators; (6) revises preamble to put greater stress on need for pesticides to combat pests, and to adopt Model Act version of statement of purpose; (7) reduces annual pesticide applicator license fee from \$50 to \$25; (8) authorizes Board to allow use of restricted use pesticides without permit by structural pest control operators; (9) substitutes reporting by dealers for reporting by wholesalers and manufacturers; (10) changes effective date of provisions for organization of Board and activation of its powers, etc., from July 1, 1971 to Oct. 1, 1971; (11) makes other technical and refining changes.

S 453 Criminal Justice Academy (Iden. H 759, digested in Bulletin No. 70, p. 543)

Amendment adopted in Senate 6/16/71 adds additional member to Bd. directors of Academy: State Comm'r Social Services.

S 538 NC Mem. Hosp. directors (digested in Bulletin No. 80, p. 647)

Committee Substitute adopted in House 6/16/71 makes following changes:

(1) Provides none of members of Hospital Board of Directors (originally, 1) to be Trustees of University, and that none shall be University faculty members, and removes limit of 3 medical doctors in the private practice of medicine; (2) provides appeal from Board's action to University Board of Trustees to be in writing; (3) makes power of Director of Hospital as to appointment, promotion and discharge of hospital personnel subject to regulations of Board, and removes requirement position of Director be subject to State Personnel Act; (4) deletes requirement State Personnel Act apply generally to hospital personnel; (5) provides for listing of Hospital operating funds under Special Fund Code and General Fund Code (new).

S 667 Uniform Relocation Assistance Act (digested in Bulletin No. 94, p. 808)

Technical amendment adopted in Senate 6/16/71.

S 702 (Mecklenburg) Mixed drinks-election (digested in Bulletin No. 96, p. 845; amendments digested in Bulletin No. 102, p. 913)

Amendments adopted in House 6/16/71: (1) raise seating capacity requirement for auditorium or convention center to 50 (originally 36); (2) amend definition of "mixed beverage" to mean a sealed miniature container which shall contain one and six-tenths ounces of alcoholic beverage and require miniature be purchased and consumed on premises, served with seal unbroken to individual purchaser and licensee shall mix drink after sealed miniature has been served to purchaser; (3) conforms other sections to miniatures requirement.

S 749 (Halifax) Roanoke Rapids city limits (digested in Bulletin No. 103, p. 926)

Committee Substitute adopted in Senate 6/16/71 requires City of Roanoke Rapids provide police protection, fire protection, garbage collection, and street maintenance services to area set forth in original bill. Establishes procedure for requiring City to provide services (original bill provided for election within area to determine if corporate limits should be extended.)

HOUSE BILLS

H 169 Machinery Act of 1971 (digested in Bulletin No. 20, p. 129)

Committee substitute adopted 6/16/71 makes following significant changes: Term of county tax supervisor is reduced to 2 years. Business firm listing may be signed by full-time employee empowered by principal officer to list in his behalf. Inventory of business taxpayer whose fiscal year closes at date other than December 31 is to be valued as of last date of taxpayer's latest completed fiscal year. Portion of definition of "discovered property" that includes substantially understated value is restricted to discoveries made after July 1, 1971. Exempt status of property of non-profit homes for aged, sick, or infirm is clarified. Following property is classified and removed from tax base: N. C. products that have been sold to nonresident but which, on January 1, are being held on N. C. premises of seller for out-of-state shipment within 6 months of sale. Deletes authority to impose poll tax. Grants each taxing unit option to retain its existing schedule of discounts through November 1, 1971. Ch. 59, S. L. 1963, is added to list of statutes repealed. Expression "lines" in directions for allocation of railroad system property among local taxing units is changed to "tracks". Appraised value of bus line's rolling stock is to be allocated among local units according to ratio of company's "scheduled miles" in unit to its "scheduled miles" in state in preceding year. A public service company is permitted to obtain a hearing before State Board of Assessment on whether level of appraisal in a given county is equivalent to that employed by Board in appraising public service company system property, and Board is required to make adjustments in public service company appraisals if hearing discloses inequitable differences. Public service company article is made effective for 1972 listings.

H 283 Narcotic drugs-vehicle code (digested in Bulletin No. 30, p. 205; H Committee Substitute digested in Bulletin No. 71, p. 558; 2nd H Committee Substitute digested in Bulletin No. 81, p. 666)

Amendment to Committee Substitute adopted in Senate 6/16/71 alters definition of "public vehicular roadway" to include any drive, driveway, road, roadway, street, or alley upon the grounds and premises of any public or private hospital, college, university, school, orphanage, church, or any of the institutions maintained and supported by the State of North Carolina, or any of its subdivisions, or upon the grounds and premises of any service station, drive-in-theater, supermarket, store, restaurant, or office building, or any other business or municipal establishment providing parking space for customers, patrons, or the public.

H 706 Visual environmental controls (Iden. S 428 digested in Bulletin No. 66, p. 506)

Committee Substitute adopted in House 6/16/71 makes following changes: (1) Provides counties as well as cities may establish community appearance comm'n's, and makes permissive requirement that members have had special training in specified fields; (2) deletes amendment of GS 14-399 ("Placing of trash, refuse, etc., on the right-of-way of any public road"); (3) rewrites provisions for dealing with dismantling or

wrecking vehicles as follows: (a) amends GS 20-61 to provide notice of dismantling of vehicle, certificate of title, and registration plate be sent to DMV within 20 days of dismantling, with DMV to issue to owner receipt for surrendered title, and to issue new certificate of title should vehicle be restored for purposes of highway use; and to provide section not to apply to vehicles 8 years old or older and worth less than \$25; and (b) amends GS 20-62 to provide person purchasing auto with intent to scrap it shall within 20 days send DMV notice of scrapping and certificate of title.

H 776 Removal of graves (digested in Bulletin No. 72, p. 568; amendments digested in Bulletin No. 81, p. 667 and Bulletin No. 90, p. 766)

Committee Substitute adopted in Senate 6/16/71 adds following provisions to original bill: (1) requires State or public or governmental agencies to determine and certify to bd. county comm'rs of county from which bodies to be disinterred that removal is reasonably necessary to perform its governmental functions and duties delegated to it by law; (2) requires notice to next of kin of proposed removal if known or subject to being ascertained by reasonable search and inquiry, and requires publication of notice of removal once each week for four successive weeks (originally 3 weeks); (3) requires party effecting removal to bear expenses thereof, including actual reasonable expense of one of next of kin incurred in attending same, not to exceed \$200; (4) permits reinterment in common grave where written consent is obtained from next of kin; and (5) requires suitable replacement marker be provided in cases where remains are moved to perpetual care cemetery where upright tombstones not permitted.

H 871 Auto litter bags (digested in Bulletin No. 81, p. 664)

Committee Substitute adopted in House 6/16/71 makes following changes:

(1) Makes act applicable to all vehicles registered in State after Jan. 1, 1972 (originally, manufactured and sold after Jan. 1, 1972); and (2) requires one container in passenger area (originally, 2 containers required for vehicles having front and back passenger areas).

H1184 Drunk drivers-clinic (digested in Bulletin No. 103, p. 925)

Committee Substitute adopted in House 6/16/71 adds provision that person whose limited driving privilege has been revoked for failure to complete driver improvement clinic within 60 days may have privilege reinstated upon satisfactory completion of clinic. Effective date July 1, 1972 (was upon ratification).

H 1210 First mortgage lending limit (digested in Bulletin No. 106, p. 959)

Committee Substitute adopted in House 6/16/71 makes following changes:

(1) permits rate not to exceed 10% (originally 12%) on installment loans not exceeding \$50,000 (originally \$300,000) repayable in no less than two nor more than ten years at least quarterly in substantially equal payments of principal and interest upon written agreement signed by parties (originally no provisions as to equal payments); (2) specifies borrower may prepay all or any part of such loan at any time prior to maturity without penalty; (3) permits interest rate not to exceed 12% on loans not exceeding \$7,500 (originally \$10,000).

SENATE AND HOUSE

CALENDAR ACTION

JUN. 16, 1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 4 18 YEAR OLD MAJORITY.(5/25) H-PASSED 2ND & 3RD READING.
S. 96 ENVIRONMENTAL BILL OF RIGHTS.(5/05, 6/09, 6/10, 6/11) S-PLACED ON CAL JUNE 17.
S. 274 POLICE OFFICERS, DEATH BENEFITS.(6/11, 6/14) H-REC FROM SENATE; H-REF TO COM ON JUDIC 2.
S. 286 PHOTOGRAPHING DEFENDANTS.(6/09, 6/14) H-REC FROM SENATE; H-REF TO COM ON JUDIC 1.
S. 302 DUAL OFFICE HOLDING.(6/15, 6/16) S-FLOOR AMEND ADOPTED; S-PASSED 3RD READING.
S. 362 UTILITIES COMM^N-MOTOR CARRIERS.(5/10, 6/11) S-CONCURRED IN H AMEND.
S. 399 GOVERNMENTAL EMPLOYEES-REGULATION.(6/09) H-REC FROM SENATE; H-REF TO COM ON MFR LABR.
#S. 402 WORLD LAW AND ORDER.(6/08) S-TABLED.
S. 411 CRIMINAL JUSTICE TRAINING COUNCIL.(6/16) S-COM AMEND ADOPTED; S-RE-REF COM ON APPROPN.
S. 445 NC PESTICIDE LAW OF 1971.(6/16) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED; S-RE-REF COM ON FINANCE.
S. 453 CRIMINAL JUSTICE ACADEMY.(6/16) S-COM AMEND ADOPTED; S-RE-REF COM ON APPROPN.
S. 475 STATE PURCHASES AND CONTRACTS.(6/11) S-CONCURRED IN H AMENDS.
S. 498 IND'L REVENUE-ANTIPOLLUT. FACILS..(6/14) S-PASSED 3RD READING.
S. 502 AMENDING ANATOMICAL GIFT ACT. S-PLACED ON CAL JUNE 21.
S. 516 UNIV. STUDENT PUBL. FEES. S-PLACED ON CAL JUNE 21.
S. 538 NC MEM. HOSP. DIRECTORS.(6/16) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
S. 586 DIVORCE VALIDATIONS. S-REPTD FAV.
S. 595 TECHNICAL CORRECTIONS-GEN. STATS..(6/15) H-REC FROM SENATE; H-REF TO COM ON JUDIC 1.
S. 604 PUNISHMENT-DRIVING UNDER INFLUENCE. S-REPTD FAV.
S. 623 INCORPORATE CITY IN SANIT. DIST.. S-PASSED 2ND READING.
S. 625 LITERARY FUND INTEREST RATE. H-REPTD FAV.
S. 626 SCHOOL UNIT EMPLOYEE BONDS. H-REPTD FAV.
S. 627 USE OF LITERARY FUND LOANS. H-REPTD FAV.
S. 628 PUB. BLDGS., SYSTEMS MGMT. LAWS.(6/14) H-REC FROM SENATE; H-REF TO COM ON ST GOVT.
S. 640 INSOLVENT INSURER GUARANTY ASSOC.. H-REPTD FAV AS AMENDED.
S. 648 TRAFFIC RULES-COMMUNITY COLLEGES. H-REPTD FAV.

- S. 653 VEHICLE RECIPROCITY AGREEMENTS. (6/14) S-CONCURRED IN H AMEND.
- S. 655 PORK PRICING STUDY COMM^N. S-REPTD FAV.
- S. 656 OFF-SITE COMPONENTS APPROVAL. H-REC FROM SENATE; H-REF TO COM ON JUDIC 1.
- S. 661 HIGHWAY COMMISSION LEGAL COUNSEL. S-REPTD FAV.
- S. 662 HIGHWAY RELOCATION ASSISTANCE. H-REC FROM SENATE; H-REF TO COM ON ROADS.
- S. 663 CONDEMNATION FOR PARKWAYS. H-REC FROM SENATE; H-REF TO COM ON ROADS.
- S. 664 ABANDONMENT OF ROADS. (6/15) S-PLACED ON CAL JUNE 21.
- S. 665 HIGHWAY DISTRICT CAMP SITES. H-REC FROM SENATE; H-REF TO COM ON ROADS.
- S. 667 UNIFORM RELOCATION ASSISTANCE ACT. (6/16) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- S. 669 TRANSIT SYSTEM FUEL TAX REFUNDS. (6/14) H-REC FROM SENATE; H-REF TO COM ON FINANCE.
- S. 670 TRANSIT SYSTEM FRANCHISE TAX REDUC. (6/11) H-REC FROM SENATE; H-REF TO COM ON FINANCE.
- S. 677 JUVENILE PROBATION OFFICERS-APP. H-REPTD FAV AS AMENDED.
- S. 686 SECOND DISMISSAL FROM SCHOOL. H-REPTD FAV.
- S. 703 COSTS IN CONDEMNATION ACTIONS. S-REPTD FAV AS AMENDED.
- S. 711 JUDGMENTS IN DIVORCE ACTIONS. (6/14) H-REC FROM SENATE; H-REF TO COM ON JUDIC 2.
- S. 712 LICENSE PLATES-CITIZENS RADIO. (6/11) S-CONCURRED IN H AMEND.
- #S. 738 REFLECTORS FOR DISABLED TRUCKS. S-REPTD UNFAV.
- S. 743 CREATING METRO CITY WATER DISTRICTS. S-REPTD FAV.
- S. 744 (J. RES.) OPPOSING CLOSING U.S. 441. S-REPTD FAV.
- S. 746 NEXT FRIEND COSTS. H-REPTD FAV.
- S. 753 FUNDS FOR HOG CHOLERA INDEMNITY. S-REPTD FAV.
- S. 754 WORKMEN'S COMP. -TOTAL DISABILITY-2. H-REPTD FAV.
- S. 757 CONTROL OF BIOLOGICAL RESIDUES. (6/14) H-REC FROM SENATE; H-REF TO COM ON AGRICULT.
- S. 761 AMEND LIVESTOCK MKT. ACT. S-REPTD FAV AS AMENDED; S-RE-REF COM ON FINANCE.

- #H. 7 TENURE FOR PUBLIC SCHOOL TEACHERS. H-REPTD UNFAV.
- #H. 46 TEACHERS' SICK LEAVE. H-REPTD UNFAV.
- #H. 57 TEACHER MERIT EXAM. H-REPTD UNFAV.
- H. 87 JUDICIAL STANDARDS COMMISSION. (5/25, 6/14) H-CONCURRED IN S AMENDS.
- H. 91 INDECENT EXPOSURE ACT. (5/24, 6/01) S-PASSED 2ND & 3RD READING.
- H. 153 MUNICIPAL LAW REVISION. (6/04) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT
- H. 169 MACHINERY ACT OF 1971. (6/16) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- #H. 192 NEGRO & AMERICAN INDIAN HISTORY. H-REPTD UNFAV.
- H. 247 NAME CHANGE, COURT RECORDS. (4/27, 4/29) S-PASSED 2ND & 3RD READING.
- H. 283 NARCOTIC DRUGS-VEHICLE CODE. (4/20, 5/05, 5/07, 5/10, 6/16) S-FLOOR AMEND ADOPTED; S-PASSED 3RD READING.

- H. 315 TOWED VEHICLES FIRMLY ATTACHED. S-REPTD FAV.
- H. 342 INCREASE LIMITS NO-BID CONTRACTS. S-PASSED 2ND & 3RD READING.
- H. 484 STREET CLOSING-COUNTIES.(5/26) S-PASSED 2ND & 3RD READING.
- #H. 596 SECURITIES LAW EXEMPTION.(6/03) RATIFIED CH. 572.
- H. 610 LOCAL GOVERNMENT FINANCE ACT.(6/15) H-PASSED 2ND READING.
- #H. 632 COUNTY AUTO TAGS,TAXES. H-REPTD UNFAV.
- H. 699 FILLING VACANCIES-COUNTY COMM'RS.(5/26) S-RECALLED FROM COM;
S-RE-REF COM ON JUDIC 2.
- H. 706 VISUAL ENVIRONMENT CONTROLS.(6/16) H-REPTD FAV COM
SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 750 ANIMAL QUARANTINE PROCEDURES. S-REPTD FAV AS AMENDED.
- H. 776 REMOVAL OF GRAVES.(5/05, 5/18, 6/16) S-REPTD FAV COM
SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
- H. 784 MENTAL HEALTH COUNCIL. S-PASSED 2ND & 3RD READING.
- #H. 799 (J.RES.) PRISON LABOR-STUDY COMM'N. H-REPTD UNFAV.
- H. 801 IND'L REVENUE-ANTIPOLLUT. FACILS..(6/15) H-POSTPONED TO JUNE
17.
- #H. 810 AUTO INS. RATE ADJUSTMENT BAR. H-REPTD UNFAV.
- H. 845 RECORDED INSTRUMENTS,QUALITY. S-PLACED ON CAL JUNE 17.
- H. 846 RETURN OF RECORDED MAPS.(6/01) S-PLACED ON CAL JUNE 17.
- #H. 858 PORTS AUTHORITY EARNINGS. RATIFIED CH. 574.
- #H. 865 (J.RES.) 260 INSURANCE PLAN. H-REPTD UNFAV.
- H. 871 AUTO LITTER BAGS.(6/16) H-REPTD FAV COM SUBSTITUTE; H-COM
SUBSTITUTE ADOPTED.
- H. 900 LEG'VE APPROVAL NON-SPA SALARIES.(5/26, 6/01) S-REPTD FAV AS
AMENDED.
- H. 908 INS. RATE APPEALS TO CT. OF APPS.. H-REPTD FAV.
- H. 929 VOTING RESIDENCE 90 DAYS.(6/14) S-REC FROM HOUSE; S-REF TO
COM ON CONSTUTN.
- H. 940 CURB SIDE VOTING-DISABLED.(6/11) S-REPTD FAV AS AMENDED.
- H. 959 HOSPITAL FACILITIES FINANCE ACT.(5/28, 5/28) S-PASSED 3RD
READING.
- H. 976 CORRECTING ERROR,SL 1971,CH. 362. S-PASSED 2ND & 3RD READING.
- H. 985 CONFORM GS 115 TO CONSTITUTION.(6/14) S-REC FROM HOUSE; S-REF
TO COM ON EDUCATN.
- H. 990 CIVIL AIR PATROL LICENSE PLATES.(6/02) S-PASSED 2ND & 3RD
READING.
- H. 994 TRANSFER HY. PATROL TO ATT'Y GEN. H-REPTD FAV; H-RE-REF COM
ON APPROPN.
- H.1009 CORRECTING ADMINISTRATORS' TITLES. S-PASSED 2ND & 3RD
READING.
- H.1015 ELECTION OFFICIALS' PAY. S-PASSED 2ND & 3RD READING.
- H.1018 CUSTODY,SUPPORT SUIT-COUNSEL FEES.(6/03) S-RE-REF COM ON
JUDIC 1.
- #H.1020 LICENSE TAXES-CAMPGROUNDS.(6/03) RATIFIED CH. 578.
- H.1021 TAX EXEMPT MINISTER'S RESIDENCE.(6/07) S-PASSED 2ND & 3RD
READING.
- H.1027 LICENSE FEE-CHIROPRACTOR. H-PASSED 3RD READING.
- H.1041 COUNTY & CITY AUXILIARY POLICE.(6/04) S-PASSED 2ND & 3RD
READING.
- H.1044 HUSBAND-WIFE TRESPASS TESTIMONY. S-RE-REF COM ON JUDIC 1.

- H.1087 NONRESIDENT TUITION INCREASE. H-REPTD FAV.
- H.1095 MUTUAL INSUR. COMPANIES CAPITAL. H-REPTD FAV.
- H.1096 TURNER TORT CLAIM. H-REPTD FAV; H-RE-REF COM ON APPROPN.
- H.1097 BEER, WINE, AND LIQUOR PERMITS. H-REPTD FAV.
- H.1103 TRANSFER CAPITOL POLICE TO SBI. H-REPTD FAV.
- H.1128 PUB. BLDGS., SYSTEMS MGMT. LAWS. H-REPTD FAV.
- H.1136 (J. RES.) MEMORIALIZING BRANTLEY. S-PASSED 2ND & 3RD READING.
- H.1175 HIGHWAY PATROL AWARD. H-REPTD FAV AS AMENDED.
- H.1184 DRUNK DRIVERS CLINIC. (6/16) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H.1188 TRENT RIVER HUNTING. S-REPTD FAV.
- H.1201 NO TAKING ALLIGATORS. S-REPTD FAV AS AMENDED.
- H.1210 FIRST MORTGAGE LENDING LIMIT. (6/16) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H.1219 (J. RES.) HONORING J. HERMAN LEDER. S-PASSED 2ND & 3RD READING.
- H.1222 6-MEMBER CIVIL JURY. H-REPTD FAV.
- H.1227 COSMETIC ART BD. EX'S SALARIES. S-PASSED 2ND & 3RD READING.
- H.1232 ZOO AUTHORITY PERSONNEL. H-REPTD FAV.
- H.1246 NO DISCRIMINATION-BLIND TEACHERS. H-REPTD FAV.
- H.1250 STATE GOALS AND POLICY COUNCIL. H-REPTD FAV.

LOCAL BILLS

- #S. 537 (PENDER) PEN-RAISED QUAIL SALES. S-REPTD UNFAV.
- S. 624 (CASWELL) YANCEYVILLE INCORPORATION. (6/15) S-PASSED 3RD READING.
- S. 702 (MECKLENBURG) MIXED DRINKS-ELECTION. (6/03, 6/16) H-FLOOR AMENDS ADOPTED; H-PASSED 2ND READING.
- S. 722 (GASTON) BESSEMER CITY-FIVE GALL. LIMIT. H-REPTD FAV.
- S. 730 (HALIFAX) COUNTY COMMISSIONER DISTRICTS. S-PASSED 2ND & 3RD READING.
- S. 742 (BUNCOMBE) METRO WATER DIST.-CIVIL SERVICE. S-REPTD FAV.
- S. 749 (HALIFAX) ROANOKE RAPIDS CITY LIMITS. (6/16) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
- S. 762 (ROBESON) ST. PAULS CHARTER. S-PASSED 2ND READING.
- S. 771 (YANCEY) RACCOON AND OPOSSUM HUNTING. S-REPTD FAV.

- H. 146 (CUMBERLAND) REPEALING ANNEXATION EXEMPTION. (6/15) S-PASSED 3RD READING.
- #H. 389 (CLAY) SCHOOL BOARD MEMBERS. H-REPTD UNFAV.
- #H. 406 (BLADEN) HY. DITCH DIGGING-WHITE LAKE. RATIFIED CH. 570.
- H. 413 (ALAMANCE) WOUND REPORTS BY HOSPITALS. S-PASSED 2ND & 3RD READING.
- #H. 584 (CATAWBA) LONG VIEW TAX DISCOUNTS. RATIFIED CH. 571.
- #H. 666 (GUILFORD) GREENSBORO HOUSING AUTH. MEMBERSHIP. RATIFIED CH. 573.
- H. 681 (MOORE) HUNTING FROM HIGHWAYS. S-REPTD FAV.
- H. 802 (FORSYTH) STUDENT DUE PROCESS-HEARINGS. (5/26) H-POSTPONED TO JUNE 23.
- #H. 880 (DURHAM) DURHAM HOUSING AUTHORITY. (5/28) RATIFIED CH. 575.

- H. 899 (WASHINGTON) COUNTY GARBAGE FACILITIES.(5/24) S-PASSED 2ND READING.
- H. 955 (JOHNSTON) BENSON CHARTER REVISION.(6/04) S-PASSED 2ND READING.
- H. 966 (ANSON) LILESVILLE CHARTER.(5/31) S-PASSED 3RD READING.
- H. 969 (JOHNSTON) AIRPORT AUTHORITY. S-PASSED 2ND READING.
- H. 972 (ORANGE) JOINT TRANSPORTATION COMMISSION.(5/31) S-PASSED 2ND READING.
- H. 987 (DURHAM) DURHAM CITY-COUNTY CHARTER COMM'N.(5/31) S-PASSED 3RD READING.
- #H. 992 (MONTGOMERY) CANDOR COMM'RS AND MAYOR TERM.(5/31) RATIFIED CH. 576.
- #H. 993 (UNION) MONROE RECREATION COMM'N REPEAL. RATIFIED CH. 577.
- H.1005 (PAMLICO) INCORPORATING MESIC.(5/31) S-PASSED 2ND READING.
- H.1006 (BLADEN) WHITE LAKE TOWN BOUNDARIES. S-PASSED 3RD READING.
- H.1017 (CURRITUCK) REGISTER OF DEEDS' SALARY. S-PASSED 2ND & 3RD READING.
- #H.1040 (GRANVILLE) OXFORD COMPENSATION AUTHORITY. RATIFIED CH. 579.
- H.1047 (GASTON) CHERRYVILLE FIREMEN RETIREM'T.(6/04) S-PASSED 2ND & 3RD READING.
- H.1053 (CLEVELAND, POLK, RUTHERFORD) LEGALIZED BINGO.(6/15) S-PASSED 3RD READING.
- #H.1065 (CARTERET) SHERIFF'S SUCCESSOR. RATIFIED CH. 580.
- H.1074 (CLEVELAND) SHELBY FILING FEES. S-PASSED 2ND & 3RD READING.
- #H.1079 (ALAMANCE) BURLINGTON PROPERTY SALES. RATIFIED CH. 581.
- #H.1092 (GRAHAM) CHAIRMAN OF BD. OF COMM'RS-SALARY. RATIFIED CH. 582.
- H.1093 (GATES) GATESVILLE TOWN LIMITS. S-PASSED 2ND READING.
- H.1100 (MECKLENBURG) NUMBER OF HOSPITAL COMMISSIONERS. S-PASSED 2ND & 3RD READING.
- #H.1107 (GRAHAM) TRANSFER OF SURPLUS FUNDS. RATIFIED CH. 583.
- H.1108 (CHEROKEE) MURPHY TOWN LIMITS.(6/04) S-PASSED 3RD READING.
- H.1119 (RICHMOND) HAMLET ABC FUNDS. S-PASSED 2ND & 3RD READING.
- H.1120 (RICHMOND) ROCKINGHAM ABC FUNDS. S-PASSED 2ND & 3RD READING.
- H.1126 (DURHAM) DURHAM FIREMEN RETIREMENT. S-PASSED 2ND & 3RD READING.
- H.1130 (GASTON) GASTONIA-FIVE GALL. LIMIT. H-REPTD FAV.
- H.1150 (ROCKINGHAM) REIDSVILLE ABC PROFITS. S-PASSED 2ND & 3RD READING.
- #H.1152 (ALAMANCE) BURLINGTON SCHOOL BD. PROPERTY. RATIFIED CH. 584.
- H.1208 (PITT) LEASE OF SCHOOL PROPERTY. H-REPTD FAV.

Next Sessions of Senate and House:

House: 11:30 a.m., Thursday, June 17, 1971.

Senate: 12 noon, Thursday, June 17, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 112

-1031-

THURSDAY, JUNE 17, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 810 (Joint Resolution) Thanking Mr. and Mrs. Hughes MISC RES
Introducer: Bailey Sent to RULES

"A Joint Resolution expressing the gratitude of the General Assembly to Mr. and Mrs. William H. Hughes, Jr., for their long and dedicated services to the State of North Carolina." As title indicates.

S 811 6 member juries-misd. cases CONSTITUTION
Introducer: Jones Sent to CONSTITUTION

"To amend the Constitution of North Carolina, as amended effective July 1, 1971, to provide for juries of not less than six nor more than twelve persons in misdemeanor cases." Adds to Sec. 24, Art. I of NC Constitution provision requiring jury in every criminal action designated a misdemeanor to consist of not less than six nor more than twelve persons, as General Assembly may provide. Provides for submitting amendment to voters at next general election, and if approved, to become effective on first day of month succeeding month of certification.

S 812 (Joint Resolution) Public health services-study STUDY, GS 130
comm'n-2 Sent to PUB HLTH
Introducers: Currie and Killian

"Establishing a study commission on the organization and delivery of public health services in the State of North Carolina." Identical with H 1294, digested in Bulletin No. 111, p. 1019, except provides for 11 rather than 15 member comm'n., with 7 rather than 11 members to be appointed by Governor.

S 813 Insur. premium financing (Iden. H 1301) GS 58
Introducer: Allen Sent to INSUR

"To amend G.S. 58-56.1, regarding exceptions to license requirements for insurance premium financing." Identical with H 1301, digested in House section of today's Bulletin.

S 814 Forfeited recognizances GS 15
Introducer: Knox Sent to COURIS

"To amend Chapter 15, Section 116 of the General Statutes pertaining to the petition of persons seeking relief on recognizances forfeited." Amends GS 15-116 ("Judges may remit forfeited recognizances"), adding provision that after the adjournment of any court session in which final judgment of recognizance forfeited was entered, any judge, before hearing petition or otherwise granting relief, shall require the same



be in writing stating the grounds upon which relief is sought and a copy shall be served on the superintendent of schools in the county, and the superintendent shall have 20 days in which to answer together with the right to be heard in opposition thereto.

S 815 Bus licenses
Introducer: Burney

GS 20
Sent to FINANCE

"To provide for reciprocity license and registration for passenger buses." Adds new GS 20-87.1 providing passenger buses operated by any common carrier of passengers for use in intrastate or interstate commerce be extended full reciprocity and exempted from registration fees only in instances where such carriers have validly licensed in NC average number of buses required to operate total miles operated by it in and through State during preceding year. Sets forth formula for determining average number of buses and authorizes Dep't of Motor Vehicles to verify average number required by carrier. Requires Dep't to issue registration certificates and license plates for average number upon payment by carrier of prescribed fees or taxes. Thereafter, permits all buses properly identified and licensed in any state and used by carrier to operate on an interstate or intrastate basis. Permits resident common carrier to interchange properly licensed bus with carrier resident of another state if adequate records are on file in its office to verify such interchanges. Effective Jan. 1, 1972.

S 816 Seed potato law changes
Introducer: Wood

GS 106
Sent to AGRICULT

"Amending Article 31A of Chapter 106 relating to the sale and use of seed potatoes" Amends GS 106-284.6, to add to definition of Irish or sweet potatoes intended for propagation purposes Irish or sweet potatoes which have no serious damage from sunburn, hollow heart and growth cracks. Amends GS 106-284.7, adding language forbidding the planting, or accepting or receiving in State for propagation purposes, any potatoes not conforming to standards of GS 106-284.6. Amends GS 106-284.9(b) making mandatory (now, permissive) the issuance of a "stop-sale" order by Comm'r of Agriculture when he or his agents find seed potatoes held for sale or propagation which do not conform to standards of Article. Amends GS 106-284.9(c) (relating to disposition of seed potatoes found not to conform to standards of Article), removing reference to certification tags and certifying statement and providing generally that person owning such potatoes must furnish evidence satisfactory to Comm'r that potatoes will be disposed of for purposes other than propagation. Amends GS 106-284.10 ("Authority to permit sale of substandard potatoes") to grant to Comm'r (now, State Board of Agriculture) power to lower seed potato standards in emergency conditions, and to empower him to give written permission for use of substandard potatoes for experimental or scientific purposes. Amends GS 106-284.11 permitting sale and use (now, sale only) for propagation purposes of any potatoes grown within State when purchaser has personal knowledge of conditions under which potatoes were grown.

HOUSE

H 1298 (Joint Resolution) Continuing Loc. Gov. Study
Comm'n
Introducers: S. Johnson and others

STUDY
Sent to JUDIC 1

"Continuing the Local Government Study Commission." Continues Comm'n through January 1, 1973, composed of three Senators appointed by President of Senate, six Representatives appointed by Speaker of House, and six citizens appointed by Governor. Provides Comm'n to continue to study matters assigned to it by Sec. 3, Resolution 76, SL 1967, prepare and recommend legislation necessary to implement Art. V of NC Constitution, as amended by Ch. 1200 of SL 1969, and undertake any other studies and recommendations relating to local government that Comm'n deems advisable. Requires Comm'n to report findings and recommendations to Governor and 1973 General Assembly.

H 1299 Bds. of education contracts
Introducer: Twiggs

GS 115
Sent to EDUCATN

"To amend G.S. 115-131 to authorize and empower County and City Board of Education to enter into long-term and short-term lease, leaseback, and lease-purchase contracts with individuals, firms and corporations." Rewrites GS 115-131 to add new provisions authorizing county and city bds. of education: (1) to enter into long-term leases or lease-purchases with individuals, firms or corporations for rental of grounds and buildings to be erected for school purposes, terms of such leases not to exceed 25 years at a stipulated rental and lease-purchase not to exceed 10 years with right of renewal for additional ten years; (2) to enter into short-term leases for not more than seven years, for use and renovation of an existing building and grounds for school purposes; (3) to enter into long-term lease and leaseback agreements with respect to any proposed school site where purpose of lease and leaseback is to provide for erection of school buildings and facilities with non-public funds (pursuant to such purpose, bds. may execute documents to subordinate fee estate of such site to a construction and long-term financial institution to secure repayment of funds loaned to construct such buildings and facilities on site but such subordination shall not create any obligation or liability on part of county and city bds. in regard to payment of construction and long-term financing notes, and bds. upon default of borrower on any note given for construction or long-term financing, may assume obligation of borrower under said note and terminate any lease entered into); and (4) to make all contracts or agreements necessary or convenient to carrying out above purposes. Requires above arrangements to be subject to approval of State Superintendent of Public Instruction and prohibits entering any such contract without prior approval of Superintendent. Makes procedures for competitive bidding applicable to public contracts pursuant to GS 143-129 be followed by individual, firm, or corporation holding title to school buildings and facilities upon contemplation of construction or renovation of school building and facilities on school site.

H 1300 SPCA realty-property tax exempt.
Introducers: Twiggs and others

GS 105
Sent to FINANCE

"To provide tax exempt status for ad valorem taxation purposes to Societies for the Prevention of Cruelty to Animals." Amends GS 105-296(5) to add to list of real property exempt from taxation SPCAs which are not conducted for profit and are charitable in nature, where such property is used in the furtherance of humane activities. Effective upon ratification and applicable to taxable years beginning on or after Jan. 1, 1971.

H 1301 Insur. premium financing (Iden. S 813)
Introducer: Leatherman

GS 58
Sent to INSUR

"To amend G.S. 58-56.1, regarding exceptions to license requirements for insurance premium financing." Deletes last sentence of GS 58-56.1(b) and adds new (c) providing fire and casualty insurance agent or insurance broker duly licensed in State who extends credit to and only to his own policyholders may charge and collect finance charges or other fees at periodic rate in aggregate not to exceed 1 1/2% per month on unpaid balance of previous month, and exempts persons covered from provisions of Art. 4, GS. Ch. 58. Conforms remainder of section.

H 1304 Subdivision street paving authority
Introducers: Hege and Snyder

GS 153
Sent to JUDIC 1

"To create a municipal corporation for the purpose of permitting owners of lots in certain subdivisions to finance and accomplish street and drainage improvements." Adds new Art. 28 to GS Ch. 153 establishing procedure whereby owners of lots in certain subdivisions may finance and accomplish construction, reconstruction, paving, maintenance and repair of streets, curbs, gutters, sidewalks, storm sewers and street drainage systems and any appurtenances necessary thereto within subdivision. Defines key terms and sets forth procedure for incorporating authority upon petition to bd. county comm'rs signed by at least 51% of owners of lots within qualified subdivision. Sets out requirements of proposed articles of incorporation, necessary deposit for expenses made to Bd., requires public hearing be held to consider petition after adequate notice. Provides after conclusion of hearing bd. shall vote approval or disapproval of incorporation, and if approved, provides for election of corporate officers to serve one year terms. Requires officers to apply to Sec. of State, and if proper procedure has been complied with, for Sec. to issue certificates of incorporation. Sets forth in detail powers of such authority, and requirements which authority must meet in letting contracts for paving, etc., including public advertising of bids, award of contract to lowest bidder, prohibition of conflicts of interest, etc. Authorizes levy and collection of assessments by authority upon each lot in subdivision based upon length of frontage and in accordance with procedure set forth. Authorizes authority to issue notes, exempts members of authority from personal liability on notes, permits securing notes by trust indentures, outlines remedies of noteholders in event of default by authority, and requires issuance of all notes be pursuant to article and approval by Local Gov't Comm'n. Provides procedure for streets constructed by authorities to be placed in State highway system upon petition to Highway Comm'n. Exempts State and county from liability on any note or obligation of authority, and exempts authority from payment of taxes upon any property under its jurisdiction, or upon any of its activities or upon all moneys pledged to pay or secure payment of its notes and that notes and income therefrom shall at all times be exempt from taxation except for transfer and estate taxes. Provides for dissolution of authority upon annexation of subdivision by any incorporated city or town, and for general dissolution procedure of authority.

H 1305 Limousine vehicles license
Introducer: Miller

GS 20
Sent to ROADS

"To establish a category of vehicle registration for limousine vehicles." Adds new subdivision (4) to GS 20-87 providing that "for-hire passenger vehicles" which do not solicit passengers indiscriminately shall be taxed at same rate as "for-hire passenger vehicles" under GS 20-87(3), but shall be issued different plates. Effective December 31, 1971.

H 1306 Traffic laws-state hospitals
Introducer: Stewart

GS 122
Sent to JUDIC 1

"To amend Article 1 of Chapter 122 by adding a new section to be designated G.S. 122-16.1 to grant to the State Board of Mental Health authority to regulate traffic upon the grounds of state institutions operated by the Department of Mental Health." Adds new GS 122-16.1 providing as follows: (1) Makes all provisions of GS 20 as to the use of State highways and the operation of motor vehicles applicable to streets and driveways of all State institutions operated by Dep't of Mental Health, with conviction for violation of same incurring the same penalties. Permits Bd. of Mental Health to make additional rules and adopt additional ordinances not inconsistent with provisions of GS Ch. 20, violation of such regulations and ordinances to be misdemeanor punishable by \$50 fine or 30 days. Permits Bd. to fix speed limits on institutions' roads lower than those provided in GS 20-141. Permits Bd. to adopt parking regulations and to charge annual fee for same. Authorizes Bd. to prescribe civil penalties for violation of rules and regulations adopted pursuant to act, penalties not to exceed \$5 and to be used for development and supervision of parking areas.

H 1308 Auto insur. rates-point system
Introducer: Ingram and others

GS 58
Sent to INSUR

"To amend Article 25 of Chapter 58 of the General Statutes of North Carolina to establish a fair merit rating insurance plan for determining rate classifications for automobile liability insurance." Repeals GS 58-248.8 and all rules and regulations adopted pursuant thereto and adds new GS 58-248.9 to provide: (1) for a basic rate classification for all applicants who together with any other driver in same household not covered by separate owner's liability insurance policy or not a named insured in a separate operator's policy, any of which has accumulated no driving record points as defined in bill; (2) all other classifications of applicants shall be based on number of driving record points accumulated by driver; (3) that during calendar 1972 it is intent of General Assembly that all applicants entitled to basic classification pay no more than \$45 for insurance against loss for liability imposed by law for bodily injury including death to others and property damage to others to coverage limits of \$10,000 for each person, \$20,000 each accident for bodily injury and \$5,000 for property damage to others unless equitable range defined below should be violated by such \$45 rate; (4) that surcharge be added to basic classification rate for applicants not entitled to basic classification, to be computed according to Plan A set forth below or any other reasonable plan initiated by either Insur. Comm'r or Comm'r MV and concurred in by other, or plan approved by Gov. based on driver merit determined from point system; (5) sets forth Plan A requiring for accumulation of 2, 3, 4, 5, and 6 driving record points surcharge of \$10 per point in addition to premium otherwise applicable, for 7-11 points, \$20 surcharge per point, and for 12 points a surcharge of \$40; (6) for insurance written for 1973 and subsequent years provides between 66 2/3% to 75% of total amount of earned premiums needed for any calendar year to provide minimum coverage required by law, be obtained from rates charged for basic classification, and between 25% to 33 1/3% be obtained from rates charged all other classifications; (7) sets forth point schedule for conviction of various driving offenses for purposes of determining rates. Effective January 1, 1972, and applicable only to premium rates charged on policies issued or renewed thereafter.

H 1309 Recording foreclosures-indexing
Introducers: Davis and others

GS 45
Sent to JUDIC 1

"To amend G.S. 45-38 relating to the recording of foreclosures of deeds of trust or mortgages to eliminate requirement that word 'foreclosed' be entered in alphabetical grantor/grantee index." As title indicates.

H 1310 Error retractions by newspapers
Introducer: Jones

GS 99
Sent to JUDIC 2

"Relating to the retractions and corrections of erroneous material printed by newspapers." Adds new GS 99-6 providing that if erroneous information printed by paper, then upon request retraction must be printed which corresponds in type size and page number to erroneous information. Failure to print retraction makes inapplicable provisions of GS 99-2(a) providing for actual damages only in civil action or a penny fine if found guilty in a criminal action.

H 1311 (Joint Resolution) Honoring Wake Cty. Wake
Forest Alum.
Introducer: Twiggs and others

MISC RES
Passed three readings and
sent to Senate

"Honoring the Wake County Chapter of the Wake Forest University Alumni Association on the occasion of the second annual Wake Forest Family Reunion on June 19, 1971, in the Town of Wake Forest." As title indicates.

H 1312 Disabled vets housing-tax exempt-1
Introducer: M. Smith

GS 105
Sent to FINANCE

"To classify and designate certain real property and improvements thereon owned by disabled veterans as a special class of property and to exclude said property from the ad valorem tax base." Amends GS Ch. 105-275 as it appears in H 169, exempting from real property taxation specifically adapted housing obtained by permanently disabled veterans of US armed forces or National Guard, together with land actually occupied by such housing and such additional adjacent land necessary for the convenient use of the housing. Effective for taxable years beginning on and after Jan. 1, 1972.

H 1313 Disabled vets housing tax exempt-2
Introducer: M. Smith

GS 105
Sent to FINANCE

"To classify and designate certain real property and improvements thereon owned by disabled veterans as a special class of property and to exclude said property from the ad valorem tax base." Exercises power of classification for tax purposes provided in Article V of NC Const., designating as exempt from real property taxation specifically adapted housing obtained by permanently disabled veterans of US armed forces or National Guard, together with land actually occupied by such housing and such additional adjacent land necessary for the convenient use of the housing. Effective for taxable years beginning on and after Jan. 1, 1972.

H 1314 Legis. dists.-dividing counties
Introducer: Beard

CONSTITUTION
Sent to CONSTUTN

"To amend the Constitution of North Carolina to permit the division of counties in the creation of Senate and Representative Districts." Amends Art. 2, Secs 2 and 5 subject to favorable vote at next general election of NC Constitution to take effect July 1, 1971, to permit counties to be divided in formation of Senate and House districts.

H 1315 Higher ed. self-liquidating bonds
Introducers: Quinn and others

GS 116
Sent to FINANCE

"To amend Article 21, Chapter 116, of the General Statutes of North Carolina relating to the issuance of revenue bonds for student housing, student activities, physical education and recreation." Adds to GS 116-187 as one of purposes for which revenue bonds may be issued, support of adult or continuing education programs. Rewrites GS 116-189(5) to define "project" to include any one or more buildings or facilities for (1) the housing, health, welfare, recreation and convenience of students, (2) housing of faculty, (3) adult or continuing education, and (4) revenue-producing parking decks or structures of any size or type approved by bd., and Advisory Budg. Comm'n and any enlargements, improvements or additions so approved to any such buildings or facilities now or hereafter existing (sets forth long list of such projects). Conforms remainder of section to additions.

H 1316 ASU auditorium funds
Introducers: Quinn and R. Brown

APPROPRIATION
Sent to APPROPNRN

"To appropriate funds to Appalachian State University to construct a multi-purpose auditorium." Appropriates from General Fund \$1,850,000 as title indicates. Effective July 1, 1971.

H 1317 Medical student scholarhsip funds
Introducer: Hunt

APPROPRIATION
Sent to APPROPRN

"To appropriate funds to the North Carolina Medical Care Commission to provide scholarships and loans for medical students who plan to practice in medically deficient areas of North Carolina." Appropriates from General Fund as title indicates \$500,000 for fiscal 1971-72 and \$500,000 for fiscal 1972-73. Effective July 1, 1971.

H 1318 Licensing livestock dealers-2
Introducers: Speed and Twiggs

GS 106
Sent to AGRICULT

"To provide for the licensing by the Department of Agriculture of livestock dealers." Defines "Comm'r, livestock, livestock dealer, and person." Exempts from act person offering for sale or trade only livestock he has raised or which he owns or has had in his possession 30 days or longer or who has had the livestock grown under contract, and is not engaged in the business of buying, selling, trading or negotiating the transfer of livestock; and livestock market operators conducting sales in compliance with the Public Livestock Markets Act (GS Ch. 106, Art. 35). Prohibits carrying on business of livestock dealer without valid license issued under provisions of act, and failure to keep records as required by act. Requires person desiring to be registered as livestock dealer to submit application to Comm'r of Agriculture, application not to require financial information, with license to be for period of one year, annually renewable. Requires complete records be kept of all transactions involving livestock. Permits suspension for up to 120 days of license of dealer not keeping required records, and revocation of license for second such violation within 2-year period. Permits Comm'r to refuse to issue license to person twice violating licensing and/or record keeping requirements within 5-year period, or 3 violations of record keeping requirements in 5-year period. Provides for proceedings relative to suspension, revocation or refusal of license pursuant to GS Ch. 150 ("Uniform Revocation of Licenses"). Provides for \$100 fine or 30 days imprisonment for first offense of conducting business as livestock dealer without valid license, and \$500 fine, 6 months imprisonment, or both, for second and subsequent violations of same. Effective Sept. 1, 1971. (For similar bill see S 489, digested in Bulletin No. 75, p. 597.)

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 1295 Fallston Charter
Introducers: Falls and Mauney

CLEVELAND
Sent to LOC GOVT

"To reactivate and revise the Charter of the Town of Fallston in Cleveland County and to repeal prior charter acts." Repeals Ch. 32, 1893 SL. Declares Fallston to be body politic and corporate possessing all powers and privileges pursuant to GS Ch. 160. Sets forth town limits, provides for Mayor and four Commissioners and names Spurling, Stamey, Dixon, Boggs, and Bean to serve in these capacities respectively until regular municipal elections in 1973.

H 1296 Charlotte Civil Service Bd. MECKLENBURG
Introducers: Vogler, Beatty, Campbell, Cobb Sent to LOC GOVT
Foley, Hicks and Lawing

"To amend Chapter 713 of the Session Laws of 1965, being the Charter of the City of Charlotte relating to the composition of the civil service board." Amends above chapter to provide for five members on board (now three).

H 1297 Asheville-Hendersonville Airport BUNCOMBE, HENDERSON
Introducers: Mayfield, Harkins, Stevens Sent to LOC GOVT
and DeBruhl

"Rewriting Chapter 939 of the 1969 Session Laws authorizing the sale of Old Asheville-Hendersonville airport to authorize the granting of an option and to change the description." As title indicates.

H 1302 Bd. of Tax Supervision BUNCOMBE
Introducers: Harkins, Stevens and DeBruhl Sent to LOC GOVT

"Consolidating and revising the laws relating to the Buncombe County Board of Tax Supervision." As title indicates. Defines terms. Provides for appointment of Board jointly by County Comm'n Chairman and Asheville Mayor, with transition from existing board. State Bd. is corporate body, with corporate powers. Provides for monthly meetings of Bd. Authorizes Bd. to exercise all powers dealing with taxation in Buncombe County except setting of tax rate. Divides Bd. functions into tax collection and tax supervision. Provides that Bd. to appoint tax supervisor, but tax collector to continue to be elected, for a four year term. Provides Board to have budgetary control over tax collector and tax supervisor, but those officers to have charge of the personnel in their offices. Repeals named acts.

H 1303 Lexington-release of easement DAVIDSON
Introducers: Snyder and Hege Sent to LOC GOVT

"To allow the City of Lexington to release any interest it and the public generally may have in certain air rights above a city street for the purpose of permitting the Dixie Furniture Company, Incorporated, to build a tramway across and above a part of Railroad Street for private purposes." As title indicates, authorizes governing body of Lexington to release such air rights by resolution, ordinance or other proceedings deemed advisable.

H 1307 Schl. Bd., cty. comm'rs-election dists. WARREN
Introducer: Speed Sent to LOC GOVT

"Requiring nominees for the Board of Education of Warren County to be elected by the voters of the districts they seek to represent." Amends Sec. 2, Ch. 335 of 1937 SL to provide in all primaries of Bd. Educ. in Warren County, voters of each district shall nominate one candidate who is resident of that district. Provides in elections candidates so nominated shall be voted upon by voters of districts candidates seek to represent. Requires similar district voting procedure for members of Bd. County Comm'rs.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 640 Insolvent Insurer Guaranty Assoc. (Iden. H 998, digested in Bulletin No. 91 p. 776)
Amendment adopted in House 6/17/71 makes technical correction and adds additional power

to Association granting it authority to negotiate and become a party to such contracts as are necessary to carry out purposes of act.

S 703 Costs in condemnation actions (digested in Bulletin No. 96, p. 840)

Amendment adopted in Senate 6/17/71 extends provisions of the bill to agencies, boards and commissions of cities (as well as cities) and redesignates section to be added by bill as GS 160-205.2 (was GS 160-205).

HOUSE BILLS

H 93 Secure loads on trucks (digested in Bulletin No. 11, p. 69; H Committee Substitute digested in Bulletin No. 40, p. 289; amendment to H Committee Substitute digested in Bulletin No. 42, p. 306)

S Committee Substitute adopted 6/17/71 rewrites bill to provide as follows: adds to existing GS 20-116 provision that trucks, trailers or other vehicles when loaded with rock, gravel, stone or other similar substances which could blow, leak, sift or drop shall not be driven or moved on any highway unless the height of the load against all four walls does not extend above a horizontal line 6 inches below their tops when loaded at the loading point, or if not so loaded, unless the load shall be securely covered by tarpaulin or some other suitable covering, or unless it is otherwise constructed so as to prevent any of its load from dropping, sifting, leaking, blowing, or otherwise escaping therefrom. Effective Jan. 1, 1972.

H 315 Towed vehicles firmly attached (digested in Bulletin No. 32, p. 222)

Amendment adopted in Senate 6/17/71 clarifies that towed vehicle must be firmly attached to rear of drawing vehicle so it will travel in the path of the drawing vehicle.

H 320 Doctors' speed limits (digested in Bulletin No. 33, p. 230; Committee Substitute digested in Bulletin No. 110, p. 1008)

Second Committee Substitute adopted in House 6/17/71 makes bill applicable only to vehicles operated by medical doctors in emergencies, when the vehicles, other than unmarked State Patrol Cars, listed in the section are equipped with light or lights permitted in GS 20-130.1 and light or lights are affixed to outside of vehicle and clearly visible during daylight hours when light is not in use.

H 737 NC Pesticide Law of 1971 (Iden. S 445, digested in Bulletin No. 68, p. 525)

Committee Substitute adopted in House 6/17/71 identical with Committee Substitute for S 445 digested in Bulletin No. 111, p. 1022.

H 940 Curb side voting (digested in Bulletin No. 86, p. 724; amendment digested in Bulletin No. 108, p. 987)

Amendment adopted in Senate 6/17/71 limits curb side voting to hours between 9:00 a.m. and 5:00 p.m.

H 948 Hospital authorities law rewrite (digested in Bulletin No. 87, p. 735;

Committee Substitute digested in Bulletin No. 107, p. 975)

Amendment adopted in House 6/17/71 adds provision act shall not impair, limit, or affect the rights and powers of duly organized and existing hospital authorities created or established prior to ratification of act.

H 1087 Nonresident tuition increase (digested in Bulletin No. 96, p. 844)

Amendment adopted in House 6/17/71 redefines resident and non-resident to require in-state residence of at least 12 months next preceding date of first enrollment or re-enrollment in an institution of higher education in NC to qualify for in-state tuition. Specifies student status in an institution of higher learning in this State shall not constitute eligibility for residence to qualify said student for in-state tuition but provides no person shall lose in-state status by serving in armed forces outside State.

H 1135 No disclosure-estates' assets (digested in Bulletin No. 100, p. 892)

Committee Substitute adopted in House 6/17/71 prohibits divulging of specified financial information by clerk of superior court or personal representative of estate of decedent to any person other than an heir, legatee, devisee, creditor of such estate, any duly licensed attorney, or tax authorities except by written consent of the personal representative of the estate of such decedent or order of the court (originally, prohibited divulging of information by clerk, personal representative, heir or creditor to any person other than the clerk, personal representative, heirs, creditors or tax authorities except by written approval of all heirs of decedent filed with clerk).

H 1140 (DUPLIN) Wallace contract bid limits (digested in Bulletin No. 100, p. 894)

Committee Substitute adopted in House 6/17/71 corrects statutory reference so bill amends Ch. 596, 1949 SL, raising contract bid limits to \$5,000 and \$10,000 respective (now \$1,000).

H 1201 No taking alligators (digested in Bulletin No. 106, p. 957)

Amendment adopted in Senate 6/17/71 changes effective date to Sept. 1, 1971 (originally upon ratification).

SENATE AND HOUSE

CALENDAR ACTION

JUN 17, 1971

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- #S. 4 18 YEAR OLD MAJORITY.(5/25) RATIFIED CH. 585.
 S. 96 ENVIRONMENTAL BILL OF RIGHTS.(5/05, 6/09, 6/10, 6/11)
 S-CONCURRED IN H AMENDS.
 #S. 106 (J.RES.) CONSUMER CREDIT CODE STUDY. H-REPTD UNFAV.
 #S. 144 CLARIFY SIGNALS LAW.(3/10) H-REPTD UNFAV.
 #S. 182 BAIL BOND DEPOSIT-10%. S-REPTD UNFAV.
 S. 267 GS 1A, 1B REPLACEMENT VOLUMES. S-REPTD FAV.
 S. 302 DUAL OFFICE HOLDING.(6/15, 6/16) H-REC FROM SENATE; H-REF TO
 COM ON CONSTUTN.
 #S. 362 UTILITIES COMM^N-MOTOR CARRIERS.(5/10, 6/11) RATIFIED CH.
 586.
 #S. 475 STATE PURCHASES AND CONTRACTS.(6/11) RATIFIED CH. 587.
 S. 487 PATROLMEN'S EQUIPMENT-DISPOSITION. H-REPTD FAV AS AMENDED.
 S. 498 IND^L REVENUE-ANTIPOLLUT. FACILS..(6/14) H-REC FROM SENATE;
 H-PASSED 2ND READING.
 #S. 506 TEACHER ASS^N DUES CHECKOFF. S-REPTD UNFAV.
 S. 514 REDEV. COMM^NS-PRIVATE SALES. S-REPTD FAV AS AMENDED.
 S. 519 JUVENILE'S CITIZENSHIP. H-REPTD FAV.
 S. 563 RESCUE SQUAD DEATH BENEFITS. H-REPTD FAV AS AMENDED.
 S. 570 NC SEED LAW REVISIONS. H-PASSED 2ND READING.
 S. 576 BONDS FOR UNC UTILITIES. H-PASSED 2ND READING.
 S. 586 DIVORCE VALIDATIONS. S-PASSED 2ND & 3RD READING.
 S. 604 PUNISHMENT-DRIVING UNDER INFLUENCE. S-PLACED ON CAL JUNE 22.
 #S. 611 NO DRINKING IN VEHICLES.(6/03) H-REPTD UNFAV.
 S. 623 INCORPORATE CITY IN SANIT. DIST.. S-PASSED 3RD READING.
 S. 640 INSOLVENT INSURER GUARANTY ASSOC..(6/17) H-COM AMEND ADOPTED;
 H-PASSED 2ND READING.
 #S. 653 VEHICLE RECIPROCITY AGREEMENTS.(6/14) RATIFIED CH. 588.
 S. 655 PORK PRICING STUDY COMM^N. S-PASSED 2ND & 3RD READING.
 S. 657 BUILDING CODE CLARIFICATION. S-REPTD FAV AS AMENDED.
 S. 661 HIGHWAY COMMISSION LEGAL COUNSEL. S-PASSED 2ND & 3RD READING.
 S. 667 UNIFORM RELOCATION ASSISTANCE ACT.(6/16) H-REC FROM SENATE;
 H-REF TO COM ON ROADS.
 S. 703 COSTS IN CONDEMNATION ACTIONS.(6/17) S-COM AMEND ADOPTED;
 S-RE-REF COM ON ROADS.
 S. 708 INDEXING CROP LIEN-PROPERTY OWNER. S-REPTD FAV.
 #S. 712 LICENSE PLATES-CITIZENS RADIO.(6/11) RATIFIED CH. 589.
 S. 719 INTERSTATE FIRE FIGHTING COMPACT. S-REPTD FAV AS AMENDED.
 S. 743 CREATING METRO CITY WATER DISTRICTS. S-PASSED 2ND READING.

- S. 744 (J.RES.) OPPOSING CLOSING U.S. 441. S-PASSED 2ND & 3RD READING.
- S. 753 FUNDS FOR HOG CHOLERA INDEMNITY. S-PASSED 2ND & 3RD READING.
- S. 784 SPOILED SHELLFISH SEIZURE. S-REPTD FAV.
- #H. 87 JUDICIAL STANDARDS COMMISSION.(5/25, 6/14) RATIFIED CH. 590.
- #H. 91 INDECENT EXPOSURE ACT.(5/24, 6/01) RATIFIED CH. 591.
- H. 93 SECURE LOADS ON TRUCKS.(3/09, 3/11, 6/17) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
- H. 155 NUISANCES-PUBLIC MORALS.(4/22, 4/27, 5/25, 5/26) S-REPTD FAV AS AMENDED.
- H. 169 MACHINERY ACT OF 1971.(6/16) H-POSTPONED TO JUNE 18.
- #H. 171 BAIL-DENIED FOR FELONS ON BAIL. H-REPTD UNFAV.
- H. 237 LEGISLATIVE ELECTRONIC VOTING. S-REPTD FAV AS AMENDED.
- #H. 247 NAME CHANGE, COURT RECORDS.(4/27, 4/29) RATIFIED CH. 592.
- H. 283 NARCOTIC DRUGS-VEHICLE CODE.(4/20, 5/05, 5/07, 5/10, 6/16) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- H. 315 TOWED VEHICLES FIRMLY ATTACHED.(6/17) S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- H. 320 DOCTORS' SPEED LIMITS.(6/15, 6/17) H-RE-REF COM ON HY SAFTY; H-REPTD FAV COM SUB #2; H-COM SUB #2 ADOPTED.
- #H. 342 INCREASE LIMITS NO-BID CONTRACTS. RATIFIED CH. 593.
- H. 393 SUBCONTRACTORS' LIENS REWRITE. H-REPTD FAV AS AMENDED.
- H. 478 PAY FOR SCHOOL-INJURED TEACHER.(6/01) S-REPTD FAV.
- #H. 481 FISH RUSTLING. H-REPTD UNFAV.
- #H. 484 STREET CLOSING-COUNTIES.(5/26) RATIFIED CH. 595.
- H. 551 LIQUOR IN PUBLIC SCHOOLS. H-REPTD FAV AS AMENDED.
- H. 581 CLOSING A CLASS WITH A BOND.(5/26) S-REPTD FAV.
- H. 706 VISUAL ENVIRONMENT CONTROLS.(6/16) H-RE-REF COM ON CONS&DEV.
- H. 709 COASTAL FISHERIES ASSESSMENTS.(6/11) S-REPTD FAV.
- H. 737 NC PESTICIDE LAW OF 1971.(6/17) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED; H-RE-REF COM ON FINANCE.
- H. 750 ANIMAL QUARANTINE PROCEDURES. S-RE-REF COM ON AGRICULT.
- H. 776 REMOVAL OF GRAVES.(5/05, 5/18, 6/16) S-PASSED 2ND & 3RD READING.
- #H. 784 MENTAL HEALTH COUNCIL. RATIFIED CH. 596.
- H. 801 IND'L REVENUE-ANTIPOLLUT. FACILS..(6/15) H-POSTPONED TO JUNE 18.
- H. 819 BONDS FOR UNC UTILITIES. H-POSTPONED TO JUNE 18.
- H. 827 (J.RES.) BUSING STUDENTS-PETITION CONG.. S-REPTD FAV.
- H. 833 SOCIAL SECURITY CERTIFICATIONS. S-REPTD FAV.
- H. 845 RECORDED INSTRUMENTS, QUALITY. S-PLACED ON CAL JUNE 22.
- H. 846 RETURN OF RECORDED MAPS.(6/01) S-PLACED ON CAL JUNE 22.
- H. 862 PUBLIC SCHOOL EMPLOYEE SICK LEAVE. S-REPTD FAV.
- H. 893 VOCATIONAL EDUCATION FUNDS.(5/28) S-REPTD FAV.
- H. 900 LEG'VE APPROVAL NON-SPA SALARIES.(5/26, 6/01) S-PLACED ON CAL JUNE 21.
- H. 912 NC SEED LAW REVISIONS. H-POSTPONED TO JUNE 18.
- H. 921 ENLARGING CITY SCHOOL ADM. UNITS. S-REPTD FAV.
- H. 940 CURB SIDE VOTING-DISABLED.(6/11, 6/17) S-COM AMEND ADOPTED; S-PLACED ON CAL JUNE 21.

- H. 942 EMPLOYMENT SECURITY LAW CHANGES.(5/21, 5/24) S-REPTD FAV AS AMENDED.
- H. 948 HOSPITAL AUTHORITIES LAW REWRITE.(6/10, 6/17) H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING.
- H. 956 ANTI-DISCRIMINATION ORDINANCES. H-REPTD UNFAV; H-REMOVED FROM UNFAV CAL; H-RE-REF COM ON LOC GOVT.
- H. 957 NO TOLLS ON STATE FERRIES. H-REPTD FAV AS AMENDED.
- #H. 959 HOSPITAL FACILITIES FINANCE ACT.(5/28, 5/28) RATIFIED CH. 597.
- #H. 976 CORRECTING ERROR,SL 1971,CH. 362. RATIFIED CH. 599.
- H. 984 HANDICAPPED CHILDREN INSTRUCTION. S-REPTD FAV.
- #H. 990 CIVIL AIR PATROL LICENSE PLATES.(6/02) RATIFIED CH. 601.
- H. 998 INSOLVENT INSURER GUARANTY ASSOC.. H-REPTD FAV.
- H.1007 CAMPUS VEHICLE REGISTRATION. H-REPTD FAV.
- H.1008 LICENSING RENTAL VEHICLES. H-REPTD FAV.
- #H.1009 CORRECTING ADMINISTRATORS' TITLES. RATIFIED CH. 603.
- #H.1015 ELECTION OFFICIALS' PAY. RATIFIED CH. 604.
- #H.1021 TAX EXEMPT MINISTER'S RESIDENCE.(6/07) RATIFIED CH. 606.
- H.1027 LICENSE FEE-CHIROPRACTOR. S-REC FROM HOUSE; S-REF TO COM ON FINANCE.
- H.1037 SCHOOL CONSTRUCTION BOND ISSUE. H-RE-REF COM ON APPROPRN.
- #H.1041 COUNTY & CITY AUXILIARY POLICE.(6/04) RATIFIED CH. 607.
- H.1060 EVIDENCE IN BOAT ACCIDENT CASES.(6/04) S-REPTD FAV.
- H.1087 NONRESIDENT TUITION INCREASE.(6/17) H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING.
- #H.1098 LICENSE PLATES-CITIZENS RADIO. H-POSTPONED INDEF.
- H.1111 ADVERTISING SALE OF SUBDIVISIONS. H-REPTD FAV.
- H.1135 NO DISCLOSURE-ESTATES' ASSETS.(6/17) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- #H.1145 VALIDATE TRUSTEE SUBSTITUTIONS. H-REPTD UNFAV.
- H.1154 SCHOOL BOARD HEARINGS. S-REPTD FAV.
- H.1158 (J.RES.) CREATING GROWTH PATTERNS COMM'N. H-REPTD FAV AS AMENDED.
- H.1165 MUNICIPAL AUTH.-GRANTS & LOANS. H-REPTD FAV.
- H.1167 CHANGING FORMAL BID REQUIREMENTS. H-REPTD FAV AS AMENDED.
- H.1178 ABSENTEE VOTING CHANGES. H-REPTD FAV.
- H.1185 BLOOD BANK RESTRICTION. H-REPTD FAV.
- H.1188 TRENT RIVER HUNTING. S-PASSED 2ND & 3RD READING.
- #H.1191 ATTORNEY FEES AS COSTS. H-REPTD UNFAV.
- H.1193 FIRE INS. STAT. OF LIMITATION-2. H-REPTD FAV.
- H.1197 HEALTH BOARDS COMPENSATION. H-REPTD FAV.
- H.1201 NO TAKING ALLIGATORS.(6/17) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- #H.1204 COLLECTION OF FINES. H-REPTD UNFAV.
- H.1209 STANDING FOR STANDARDS. H-RE-REF COM ON WATER.
- H.1220 STERILIZATION OF MENTAL DEFECTIVES. H-REPTD FAV.
- H.1226 DMV AND SBI COOPERATION. H-REPTD FAV.
- H.1233 AMEND LIVESTOCK MCT. ACT. H-REPTD FAV AS AMENDED.
- H.1243 AMEND H 388. H-REPTD FAV.
- H.1244 MARKETING ASSOC. OFFICERS. H-REPTD FAV.
- H.1249 SENTENCE CREDIT-ANOTHER JURISD.. H-REPTD FAV.

H.1255 (J.RES.) DIPLOMA NURSING SCHOOL ASSIST. H-REPTD FAV.
H.1259 INSURANCE BROKER BONDS. H-REPTD FAV.
H.1270 TAXING PROPERTY HAULING VEHICLES. H-REPTD FAV.
H.1272 LOCAL HUMAN RELATIONS PROGRAM. H-REPTD FAV.
H.1292 HAM VEHICLE LICENSES. H-REPTD FAV.

LOCAL BILLS

#S. 71 (BURKE) CARBON CITY INCORPORATION.(2/16) H-REPTD UNFAV.
S. 507 (GUILFORD) CONDEMNATION PROCEDURES. H-REPTD FAV.
S. 637 (DAVIDSON) THOMASVILLE CITY ELECTIONS. H-REPTD FAV AS AMENDED.
S. 702 (MECKLENBURG) MIXED DRINKS-ELECTION.(6/03, 6/16) H-PASSED 3RD READING; S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.
S. 722 (GASTON) BESSEMER CITY-FIVE GALL. LIMIT. H-PASSED 2ND & 3RD READING.
S. 730 (HALIFAX) COUNTY COMMISSIONER DISTRICTS. H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.
S. 742 (BUNCOMBE) METRO WATER DIST.-CIVIL SERVICE. S-PASSED 2ND & 3RD READING.
S. 749 (HALIFAX) ROANOKE RAPIDS CITY LIMITS.(6/16) S-PASSED 2ND READING.
S. 762 (ROBESON) ST. PAULS CHARTER. S-PASSED 3RD READING.
S. 771 (YANCEY) RACCOON AND OPOSSUM HUNTING. S-PASSED 2ND & 3RD READING.

H. 146 (CUMBERLAND) REPEALING ANNEXATION EXEMPTION.(6/15) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
#H. 413 (ALAMANCE) WOUND REPORTS BY HOSPITALS. RATIFIED CH. 594.
#H. 488 (ASHE) GARBAGE DUMP ROAD. H-REPTD UNFAV.
H. 681 (MOORE) HUNTING FROM HIGHWAYS. S-PASSED 2ND & 3RD READING.
#H. 728 (EDGECOMBE, NASH) OPTIONAL SALES TAX CHANGES. H-REPTD UNFAV.
H. 899 (WASHINGTON) COUNTY GARBAGE FACILITIES.(5/24) S-PASSED 3RD READING.
H. 955 (JOHNSTON) BENSON CHARTER REVISION.(6/04) S-PASSED 3RD READING.
#H. 966 (ANSON) LILESVILLE CHARTER.(5/31) RATIFIED CH. 598.
H. 969 (JOHNSTON) AIRPORT AUTHORITY. S-PASSED 3RD READING.
H. 970 (NASH) SALES AND USE TAXES. H-REPTD FAV AS AMENDED.
H. 971 (EDGECOMBE) SALES AND USE TAXES. H-REPTD FAV AS AMENDED.
H. 972 (ORANGE) JOINT TRANSPORTATION COMMISSION.(5/31) S-PASSED 3RD READING
#H. 987 (DURHAM) DURHAM CITY-COUNTY CHARTER COMM'N.(5/31) RATIFIED CH. 600.
H.1005 (PAMLICO) INCORPORATING MESIC.(5/31) S-PASSED 3RD READING.
#H.1006 (BLADEN) WHITE LAKE TOWN BOUNDARIES. RATIFIED CH. 602.
#H.1017 (CURRITUCK) REGISTER OF DEEDS' SALARY. RATIFIED CH. 605.
#H.1026 (CHATHAM) OBSTRUCTIONS, DRAINAGE DITCHES. H-REPTD UNFAV.
H.1030 (DAVIDSON) THOMASVILLE CITY ELECTIONS. H-REPTD FAV.

- H.1053 (CLEVELAND, POLK, RUTHERFORD) LEGALIZED BINGO. (6/15) H-REC
TO CONCUR IN S AMEND; H=CONCURRED IN S AMEND.
H.1093 (GATES) GATESVILLE TOWN LIMITS. S=PASSED 3RD READING.
H.1104 (CATAWBA) HICKORY ANNEXATION. H=REPTD FAV AS AMENDED.
H.1114 (ONSLOW) BOARD OF EDUCATION REALTY SALE. S=REPTD FAV.
H.1130 (GASTON) GASTONIA-FIVE GALL. LIMIT. H=PASSED 2ND & 3RD
READING.
H.1140 (DUPLIN) WALLACE CONTRACT BID LIMITS. (6/17) H=REPTD FAV COM
SUBSTITUTE; H=COM SUBSTITUTE ADOPTED.
H.1186 (CATAWBA) TAX COLLECTOR. H=REPTD FAV.
H.1203 (ROBESON) MAXTON CHARTER. H=REPTD FAV AS AMENDED.
H.1208 (PITT) LEASE OF SCHOOL PROPERTY. H=PASSED 2ND & 3RD READING.
H.1216 (AVERY) COUNTY COMM^{RS}-OFFICE TERMS. H=REPTD FAV.
H.1238 (FORSYTH) BEER SALES AND CONSUMPTION. H=REPTD FAV.
H.1240 (GRANVILLE) STOVALL BONDS. H=REPTD FAV.
H.1242 (ROWAN) CITY, COUNTY ZONING. H=REPTD FAV AS AMENDED.
H.1251 (EDGEcombe) PRINCEVILLE ANNEXATION. H=REPTD FAV.
H.1252 (MITCHELL) TAX LISTING BY MAIL. H=REPTD FAV.
H.1253 (MITCHELL) ACCOUNTANT & TAX SUPERVISOR. H=REPTD FAV.
H.1254 (AVERY) ELECTION BOARD TERMS, SELECTION. H=REPTD FAV.
H.1265 (HAYWOOD) COUNTY AIRPORT AUTHORITY. H=REPTD FAV.
H.1277 (YADKIN) SHERIFF'S DEPUTIES-REGULATION. H=REPTD FAV.
H.1283 (UNION) MONROE ELECTION PROCEDURE. H=REPTD FAV.
H.1284 (UNION) MONROE SCHOOL BOUNDARIES. H=REPTD FAV.
H.1289 (GUILFORD) HIGH POINT CIVIL SERVICE ACT. H=REPTD FAV.

Next Session of House: 9:30 a.m., Friday, June 18, 1971.

Next Session of Senate: 10:00 a.m., Friday, June 18, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
P. O. BOX 7294, RALEIGH, N. C.
27611 TEL. 755-3355
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BULLETIN NO. 113

-1047-

FRIDAY, JUNE 18, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 817 Challenges in misdemeanor cases
Introducer: Jones

GS 9
Sent to COURTS

"Reducing by one-half the number of challenges allowed in misdemeanor cases." Amends GS 9-21(a) to give each defendant in misdemeanor cases three peremptory challenges (now 6), and GS 9-21(b) to give the State two peremptory challenges per defendant in misdemeanor cases (now 4). Effective same day as constitutional amendment providing for juries in misdemeanor cases of not less than six or more than twelve persons.

S 818 Legislative Res. Comm'n ethics study
Introducer: Rauch

STUDY, GS 120
Sent to RULES

"To request the Legislative Research Commission to study and prepare recommendations for the 1973 General Assembly concerning an ethics code for heads of State government agencies and members of the General Assembly." As title indicates.

S 819 Legis. Bldg. Gov. Comm'n
Introducer: Patterson

GS 129
Sent to RULES

"To amend Article 3.1 of Chapter 129 of the General Statutes relating to the Legislative Building Governing Commission." Amends GS 129-17.1 to provide that persons who have served in the Senate and House subsequent to 1961 are eligible for appointment to the Comm'n. Adds new paragraph to GS 129-17.3 permitting Legis. Bldg. Gov. Comm'n to delegate to the Legis. Services Comm'n or to the Legis. Services Officer duty of assigning committee room space for use of study and other commissions between sessions, subject to regulations of Legis. Bldg. Gov. Comm'n.

S 820 Higher ed. study comm'n-2 (Iden. H 1233)
Introducers: Burney and 27 others

STUDY, GS 116
Sent to HIGHR ED

"To create a Legislative Study and Drafting Commission, and to provide effective means of program control and budget review, for public higher education in North Carolina." Adds new Art. 26 to GS Ch. 116 creating the Legislative Study and Drafting Commission for Higher Education. Comm'n to consist of six senators, one of whom must be member of minority party, appointed by President Pro Tem. of the Senate, six representatives, one of whom must be member of minority party, appointed by Speaker of House, and three other citizens appointed jointly by President Pro Tem. and Speaker. Comm'n to be appointed on July 1, 1971, or as soon thereafter as practicable and to serve until dissolution of Comm'n, which shall occur upon transmittal of its report to the 1973 General Assembly. The Comm'n is charged with making a thorough study of public higher education in NC and considering the need for additional or different legislation relating thereto. It is to file report of its findings and recommendations for legislation within 30 days of convening of 1973 General Assembly with Principal Clerks of each House for transmittal to each member,



including draft bills. Comm'n may employ such technical and professional assistance as it may require and all state dep'ts and agencies are directed to cooperate with it; Comm'n expenses to be paid from C and E Fund.

Repeals GS 116-44.16 (providing for study of regional universities); makes conforming amendment in GS 116-44.10(b); provides that regional universities may not offer doctoral programs before July 1, 1973; makes conforming amendment in GS 116-158(1) (powers of Bd. of Higher Ed.). Rewrites GS 116-158(6) to require university presidents to furnish detailed information on enrollment and budget estimates to Bd. of Higher Ed. In reviewing estimates submitted by Presidents, Bd. is to place special emphasis on requests for funding new educational programs, functions, and activities. Bd. then to report its findings in a single comprehensive document to Director of Budget, Advisory Budget Comm'n, and university presidents, not less than 30 days before public hearings are to begin in connection with preparation of budget. Bd.'s report to identify each new educational program, function, or activity for which funding has been requested by each institution and to indicate, with such explanation as it deems appropriate, whether the specific program, function, or activity is in accordance with Bd's long range plan for higher education and approved degree programs. Report also to contain such general advice concerning budget requests as Bd. deems appropriate.

S 821 (Joint Resolution) Higher ed. study comm'n-3 STUDY, GS 116
Introducer: Crawford Sent to HIGHR ED

"Creating the Legislative Study Commission on Higher Education." Identical with H 1261, digested in Bulletin No. 110, p. 1005, except that bill provides no more than three members of Comm'n may be graduates of same institution of higher ed. (H 1261 states no more than two members may be thus affiliated.)

S 822 Higher ed. self-liquidating bonds GS 116
(Iden. H 1315) Sent to FINANCE
Introducer: Henley

"To amend Article 21, Chapter 116, of the General Statutes of North Carolina relating to the issuance of revenue bonds for student housing, student activities, physical education and recreation." Identical with H 1315 digested in Bulletin No. 112, p. 1036.

S 823 Credit frauds (Iden. H 1322) GS 14, 25
Introducers: Folger and Patterson Sent to JUDIC 2

"To amend Article 19A and Article 19B relating to obtaining property or services by fraudulent use of credit device or other means and credit card use." Adds to GS 14-113.1 provision making use of credit device unlawful where credit card or device has been revoked or where person has knowledge or reason to believe that such revocation has occurred (latter provision is new). Rewrites GS 14-113.5 to make it unlawful for any person to knowingly: (1) publish plans or instructions for making, assembling, or using any apparatus, equipment or device described in GS 14-113.5(1); (2) publish number or code of an existing, cancelled, revoked or non-existent telephone number, credit number or other credit device or method of numbering or coding employed in issuance of telephone numbers with knowledge or reason to believe that it may be used to avoid payment of any lawful telephone or telegraph toll charge under circumstances evincing an intent to have such telephone number, credit number, etc., so used. Adds provision permitting any instrument, device, plans or instructions described in section to be seized under warrant or incident to lawful arrest, and upon conviction they may be destroyed as contraband by sheriff of county in which convicted.

Adds new GS 14-113.6a establishing venue for such telephone offenses at place where call placed or received or at place to which bill for service is sent or would have been sent but for fact service was obtained by fraudulent means. Excludes from definition of "credit card" in GS 14-113.8(2) telephone number, credit number or other credit device covered by provisions of Art. 19A.

S 824 Amend SL 1971, Ch. 338-fac. retire
Introducers: Allen and McLendon

GS 135, 116
Sent to HIGHR ED

"To clarify certain provisions of Chapter 338 of the 1971 Session Laws relating to an optional retirement program for faculty members at State institutions of higher education." Amends cited Ch. to make clear that administrators as well as faculty may participate in optional retirement system and several different companies may participate. Effective July 1, 1971.

S 825 Small watershed changes (Iden. H 1325)
Introducer: Allen

GS 139
Sent to CONS & DEV

"To amend the small watershed laws concerning establishment of watershed improvement districts, operation of projects by soil and water conservation districts, and channelization projects." Amends GS 139-16 to prohibit establishment of additional watershed improvement districts on or after January 1, 1972. Adds to GS 139-41(d) provision that bd. of county comm'rs, as alternative to itself conducting small watershed program or creating watershed improvement comm'n, may by resolution designate soil and water conservation district having jurisdiction in county to exercise authority for bd. in carrying out county watershed improvement program. Provides for GS 139-22 and 139-23 to apply to designated district and requires district to provide bd. 30 days prior to July 1 a proposed budget for upcoming fiscal year and provide certified public accountant's audit within 60 days after expiration of each fiscal year. Adds new GS 139-47 setting forth procedures to be followed in connection with watershed improvement or drainage projects that involve channelization. Requires notice and public hearing held by Bd. Water & Air Resources on any proposed channelization project, and approval by Bd. Water and Air Resources of channelization features at preliminary reporting stage. Conforms GS 156 (drainage districts) to above changes. Effective upon ratification but new channelization procedure applicable only to projects as to which preliminary project investigation or recommended report is issued after effective date of act.

HOUSE

H 1319 Regional sewage disposal systems (Iden. S 802)
Introduced: Bryan

GS 162A
Sent to WATER

"To encourage and promote regional sewage disposal systems, and to define the functions of the State Department of Water and Air Resources and the State Department of Administration in relation to planning of regional sewage disposal systems." Identical with S 802, digested in Bulletin No. 111, p. 1016.

H 1322 Credit frauds
Introducer: Short

GS 14, 25
Sent to JUDIC 2

"To amend Article 19A and 19B relating to obtaining property or services by fraudulent use of credit device or other means and credit card use." Identical with S 823, digested in the Senate section of today's Bulletin.

H 1324 Off-street vehicles
Introducer: M. Smith

GS 20
Sent to HY SAFTY

"To amend Chapter 20 of the General Statutes to provide for regulation of off-street vehicles." Adds new Article 14 to GS Ch. 20 to: (1) define off-street vehicles as self-propelled vehicles, including motorcycles, designed for use other than on streets and not required to be registered under Article 3 of GS Ch. 20; (2) require such vehicles operated in area other than on lands owned or under control of operator to be equipped with brakes in good working order, muffler to prevent unusual noise and smoke, and safety glass; (3) make it unlawful to operate such vehicles within 100 feet of street or on any other area, except on lands owned or under control of operator, in violation of driving-under-the-influence, reckless driving, or driving too-fast-under-circumstances provisions; (4) prohibit operation of vehicle on highway or any other area, (except on lands owned or under control of operator) with following exceptions: public or state-owned areas designated for such vehicles, private lands with written permission, and to cross public street. Violation punishable by \$50 and/or 30 days, except for driving-under-influence which made punishable as now provided by GS Ch. 20.

H 1325 Small watershed changes (Iden. S 825)
Introducers: Stewart and Bryan

GS 139
Sent to WATER

"To amend the small watershed laws concerning establishment of watershed improvement districts, operation of projects by soil and water conservation districts, and channelization projects." Identical with S 825 digested in Senate section of today's Bulletin.

H 1326 (Joint Resolution) LRC study-realty
marketability
Introducer: Stevens

STUDY, GS 120
Sent to JUDIC 2

"Authorizing and directing the Legislative Research Commission to study problems involved in marketability of title to real property in North Carolina." As title indicates, directs above study with special attention to proposals contained in H 800; directs LRC report its findings to 1973 General Assembly.

H 1327 Marriage license return
Introducer: C. Smith

GS 51
Sent to JUDIC 1

"To conform G.S. 51-16 with G.S. 51-7." As title indicates, amends GS 51-16 to require return of marriage license to register of deeds within ten days of ceremony, rather than within 30 days (GS 51-7 now requires return within ten days).

H 1328 \$5,000 homestead exemption
Introducers: Baker and M. Smith

GS 1
Sent to JUDIC 2

"Amending certain sections of Article 32 of Chapter 1 of the General Statutes so as to increase the homestead exemption from \$1,000 to \$5,000." As title indicates. Effective July 1, 1971.

H 1329 Description of homestead exemption
Introducers: Baker and M. Smith

GS 1
Sent to JUDIC 2

"To amend Article 32 of Chapter 1 of the General Statutes to delete requirements of a metes and bounds description where a portion of a house is allotted for homestead exemption, and to change references in Article 32 from 'Justice of the Peace' to 'Magistrate'." Amends GS 1-371 and -372 to delete references to metes and bounds and amends Art. 32 of GS Ch. 1 to change references to justice of the peace to magistrate.

H 1330 Homestead exemption fees
Introducers: Baker and M. Smith

GS 7A
Sent to JUDIC 2

"To amend G.S. 7A-305 to provide fees for surveyors and appraisers in laying off homesteads and personal property exemptions." Adds new GS 7A-305(f) providing that in laying off homestead exemptions or making appraisals for personal property exemptions, the fees of appraisers and surveyors are to be set in discretion of clerk of court, but deposit of \$15 per appraiser and \$40 for surveyor shall be made by judgment creditor, sums to be recoverable as other advanced costs paid.

H 1331 Amend Chapter 423, 1971 SL
Introducer: Green

GS 113
Sent to WILDLIFE

"To amend Chapter 423 of the Session Laws of 1971 relating to the trapping and killing of bears." Rewrites Sec. 2 of cited act to add provision to GS 113-87 prohibiting killing a bear unless bear in act of committing depredation (ravaging), and provides nothing in act to authorize hunting bear with dogs when season closed. Conforms GS 113-126.1 as amended by Sec. 3 of cited act.

H 1332 Free oldster big game hunt license
Introducers: Green and Harrelson

GS 113
Sent to WILDLIFE

"To rewrite G.S. 113-95.2 so as to provide, without charge, big game hunting licenses to applicants 70 years of age or older." As title indicates. Effective Aug. 1, 1971.

H 1333 Higher Ed. Study Comm'n-2
Introducer: Andrews

GS 116, 120
Sent to HIGHR ED

"To amend Article 16 of Chapter 116 of the General Statutes to provide effective means of program control and budget review for public higher education in North Carolina." Identical with S 820, digested in the Senate section of today's Bulletin.

H 1336 SPCA personalty exempt-prop. tax
Introducer: Twiggs

GS 105
Sent to FINANCE

"To provide tax exempt status for ad valorem taxation purposes to societies for the prevention of cruelty to animals." Amends GS 105-297(5) as title indicates, applicable to taxable years beginning on or after Jan. 1, 1971.

H 1337 Charlotte Nat'l Guard Armory
Introducer: Bumgardner and others

APPROPRIATION
Sent to APPROPRN

"To appropriate a certain sum for an addition to the Charlotte National Guard Armory." Appropriates \$4,695.00 from General Fund as title indicates. Effective July 1, 1971.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 1320 New Bern police dep't
Introducer: Barker

CRAVEN
Sent to LOC GOVT

"To amend the Charter of the City of New Bern relating to the police department." Amends Secs. 28 and 29, Ch. 1281, 1957 SL to remove chief of police from list of officials appointed by bd. of aldermen and to add chief of police to list of officials appointed and removed by city manager. Amends Sec. 4, Ch. 324, SL 1969, to increase period of time chief of police may suspend member of force without pay from 3 days to 30 days.

H 1321 Winfall comm'rs PERQUIMANS
Introducer: Culpepper Sent to LOC GOVT

"To increase the size of the Winfall Board of Commissioners from three to four and to increase the length of the terms of the Commissioners from two to four years." Rewrites Sec. 3, Ch. 342, 1971 SL as title indicates. Names Shelton Morgan to serve initially in additional seat created.

H 1323 Private parking lots GUILFORD
Introducer: M. Smith Sent to LOC GOVT

"To include Guilford County in G.S. 20-162.2 relating to towing unauthorized vehicles from private parking lots." As title indicates.

H 1334 Durham City Council meetings DURHAM
Introducers: Whichard, Miller and Royall Sent to LOC GOVT

"To amend the Charter of the City of Durham relating to regular meetings of the City Council." Amends Ch. 26, SL 1924 to provide that regular city council meetings are to be held at least twice but not more than four times per month (now, twice).

H 1335 Earl Station charter CLEVELAND
Introducers: Falls and Mauney Sent to LOC GOVT

"To reactivate and revise the Charter of the Town of Earl Station in Cleveland County and to repeal prior charter acts." Repeals previous charter acts and amendments: Ch. 224, Private Laws 1889, Ch. 252, Private Laws 1893, and Ch. 360, Public Laws 1895. Provides town shall continue to be body corporate and politic, exercising municipal powers under GS Ch. 160. Sets municipal boundaries and names Joe Austell, Mayor, Clifford Conley, Thelma Earl, Austel Graham, and Thomas Austell, Commissioners.

H 1338 Incorporating new towns LINCOLN
Introducer: Leatherman Sent to LOC GOVT

"To provide a method whereby the Board of County Commissioners of Lincoln County might incorporate new towns in Lincoln County." As title indicates, provides for procedure requiring petition of property owners of town to bd. of comm'rs, public hearing on petition, and order of incorporation. Towns then exercise powers given municipalities by general law.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 382 Disorderly conduct (digested in Bulletin No. 59, p. 433)
Amendment adopted in House 6/18/71 deletes part of definition of disorderly conduct which made willfully or wantonly creating a hazardous and physically dangerous condition proscribed conduct.

S 487 Patrolmen's equipment-disposition (digested in Bulletin No. 74, p. 591)
Amendment adopted in House 6/18/71 provides that certain survivors of State Law Enforcement Officers or retiring officer may have badge and service revolver at no cost; and that active members, upon change of revolver to .357 may purchase old revolver at price that represents average yield to state from sale of similar revolvers (originally, these provisions applied only to Highway Patrol).

S 514 Redev. Comm'ns-private sales (digested in Bulletin No. 77, p. 617)
Amendment adopted in Senate 6/18/71 makes act applicable only to Durham, Lee, Mecklenburg, Robeson and Wayne counties.

S 637 Thomasville City elections (digested in Bulletin No. 91, p. 778)
Technical amendments adopted in House 6/18/71.

S 657 Building Code clarification (digested in Bulletin No. 93, p. 795)
Amendment adopted in Senate 6/18/71 adds provision that nothing in article shall extend to or be construed as being applicable to regulation of design, construction, location, installation or operation of: (1) equipment for storing, handling, transporting and utilizing liquefied petroleum gases for fuel purposes or anhydrous ammonia or other liquid fertilizers; or (2) equipment or facilities, other than buildings, of a public utility as defined in GS 62-3, or an electric or telephone membership corporation, including without limitation, poles, towers, and other structures supporting electric or communication lines.

S 719 Interstate Fire Fighting Compact (digested in Bulletin No. 98, p. 867)
Amendment adopted in Senate 6/18/71 makes technical correction.

HOUSE BILLS

H 59 Uniform municipal elections law (digested in Bulletin No. 7, p. 41)
Committee Substitute adopted in House 6/18/71 makes following changes: (1) amends title to assign administration of municipal elections to State Bd. of Elections; (2) re-arranges and rennumbers original sections under new Art. 23, GS Ch. 163, Municipal Election Procedure; (3) adds provision permitting Municipal Bd. Elections to use registrars and judges of election appointed by County Bd. Elections in precincts which are not identical provided County Bd. agrees in writing to such arrangement; (4) establishes procedure for mandatory administration by county bds. over registration and election process of every municipality which conducts elections on partisan basis, and every special district: (a) grants county bds. authority to compare registration books of municipalities and special districts with county registration books and where person registered for municipal or special district but not in county, may require him to register with county to maintain municipal or special district registration, (b) requires contested election or allegations of irregularities be made to county bd. with appeals to State Election Bd., (c) requires municipalities reimburse counties for actual cost involved in elections administration; (5) establishes optional procedure if municipal election nonpartisan, granting municipality right to conduct own elections or to place under county bd.'s administration. If town or municipality and county cannot agree on costs to be paid county bd. for administration, State Bd. may impose formula; (6) sets forth procedure to be followed if cities or towns lie in more than one county and specifies municipalities must elect to have county bd. handle their elections, if nonpartisan prior to Jan. 1, 1973; (7) If needed, authorizes full-time registration office in city and makes it duty of county bd. to appoint registration comm'r for city; (8) requires such city registrar be paid by city or town at rate of not less than \$20 per day; (9) makes conduct of municipal elections and registration procedure where administered by county bd., subject to same rules and procedures as now applicable to county bds., but does not alter State Bd.'s power over all such elections as it now has over county and state elections;

(10) Sets forth procedure for calling special elections subject to notice; (11) makes county registration the official registration record for voters to vote in all elections, city, district, county, state or national municipalities whose elections are administered by county bd.; (12) specifies loose-leaf registration forms approved by State Bd. for municipalities conducting own elections, and makes this official registration record; (13) sets forth four alternative methods of registration for municipalities conducting own elections; (14) establishes procedure for registration in newly annexed or incorporated areas and authorizes State Bd. to adopt regulations for more detailed administration of such registration; (15) sets forth challenge procedure in elections conducted in municipalities similar to procedure governing challenges made in county election and prescribes alternative methods of determining results in municipal elections depending on size of municipality or town; (16) adds new Art. 23B to govern conduct of municipal elections similar to provisions of original bill but permits filing fees of \$100 in cities or special districts having population of more than 75,000 (new), specifies requirements for structure at voting place, requires candidates' names on ballots be placed in alphabetical order, adds new provisions governing marking and counting of ballots, canvass of returns, disposition of duplicate abstracts, and prohibits absentee ballots.

H 155 Nuisances-public morals (digested in Bulletin No. 18, p. 117; Committee Substitute digested in Bulletin No. 72, p. 572, Bulletin No. 75, p. 604, and Bulletin No. 95, p. 832, respectively; amendment digested in Bulletin No. 96, p. 847)

Amendment adopted in Senate 6/18/71 deletes provision making erection, establishment, continuance, maintenance, use, ownership or leasing of any building or place wherein are carried on or permitted repeated acts which create and constitute a breach of peace constitute a nuisance.

H 237 (Joint Resolution) Legislative electronic voting (Iden. S 152, digested in Bulletin No. 26, p. 172)

Amendment adopted in Senate 6/18/71 makes effective date July 1, 1971, (original May 1, 1971).

H 551 Liquor in public schools (digested in Bulletin No. 56, p. 402)

Amendment adopted in House deletes language in bill making transporting liquor on school grounds an offense and changes punishment from \$5,000/6 months to \$50/30 days.

H 832 Public assistance-US programs (digested in Bulletin No. 78, p. 630)

Amendment adopted in House 6/18/71 adds provision that in programs adopted pursuant to bill, amount of contribution from counties, if any, shall not be increased.

H 942 Employment Security Commission (digested in Bulletin No. 93, p. 801; Committee Substitute digested in Bulletin No. 93, p. 801)

Amendment adopted in Senate 6/18/71 adding new subsection (k) to GS 96-15 provides that Comm'n may adopt regulations to provide "for payment of benefits to individuals promptly when due as required by Section 303(a)(1) of the Social Security Act."

H 957 No tolls on State ferries (digested in Bulletin No. 87, p. 736)

Amendment adopted in House 6/18/71 makes effective date Jan. 1, 1973 (originally, effective upon ratification).

H 970 (NASH) Sales and use taxes (digested in Bulletin No. 89, p. 758)

Amendment adopted in House 6/18/71 specifies petition of voters for election on tax issue must state it is made pursuant to provisions of act.

H 971 (EDGEcombe) Sales and use taxes (digested in Bulletin No. 89, p. 758)

Amendment adopted in House 6/18/71 specifies petition of voters for election on tax issue must state it is made pursuant to provisions of act.

- H 1033 Drug abuser centers (digested in Bulletin No. 95, p. 819)
Committee Substitute adopted in House 6/18/71: (1) establishes complete drug abuser centers, subject to availability of funds, at Broughton, Cherry, Dorothea Dix and John Umstead Hospitals (originally, complete center only at Broughton); (2) deletes sections dealing with specific organization of center at Broughton.
- H 1044 Husband-wife trespass testimony (digested in Bulletin No. 95, p. 825)
Committee Substitute adopted in Senate 6/18/71 makes technical changes.
- H 1104 (CATAWBA) Hickory annexation (digested in Bulletin No., 97, p. 860)
Amendment adopted in House 6/18/71 deletes references to property within areas other than Catawba County.
- H 1112 Limited driving privilege (digested in Bulletin No. 97, p. 859)
Committee Substitute adopted in Senate 6/18/71 deletes provision in original bill prohibiting judge from allowing limited driving privilege to become effective earlier than 60 days following date of conviction, and makes technical corrections.
- H 1203 (ROBESON) Maxton charter (digested in Bulletin No. 106, p. 961)
Amendment adopted in House 6/18/71 prescribes Mayor and Bd. Comm'rs take oath of office required by Art. VI, Sec. 7 of NC Constitution and corrects incorrect statutory references.
- H 1242 (ROWAN) City, county zoning (digested in Bulletin No. 108, p. 985)
Technical amendments adopted in House 6/18/71.
- H 1251 (EDGECOMBE) Princeville annexation (digested in Bulletin No. 109, p. 995)
Amendment adopted in House 6/18/71 clarifies that town Comm'rs must vote for annexation.
- H 1253 (MITCHELL) Accountant and tax supervisor (digested in Bulletin No. 109, p. 995)
Amendment adopted in House 6/18/71 corrects incorrect statutory reference.
- H 1265 (HAYWOOD) County airport authority (digested in Bulletin No. 110, p. 1007)
Technical amendment adopted in House 6/18/71.

SENATE AND HOUSE

CALENDAR ACTION

JUN.18,1971

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 249 PODIATRY DEFINED. H-PLACED CAL FOR JUNE 22.
 #S. 267 GS 1A,1B REPLACEMENT VOLUMES. S-POSTPONED INDEF.
 S. 334 WORKMEN'S COMP.-EMPLOYEE DEATH-2.(6/01) H-PASSED 3RD READING.
 S. 363 UTILITIES COMM^N-CLARIFYING ACT. H-REPTD FAV.
 S. 370 UTILITIES COMM^N-EXEMPTION-2.(6/07) H-REPTD FAV.
 S. 382 DISORDERLY CONDUCT.(5/19, 6/18) H-FLOOR AMEND ADOPTED;
 H-PASSED 3RD READING.
 S. 398 SAVINGS & LOAN ASSOC.-POWERS.(5/13) H-PASSED 3RD READING.
 S. 445 NC PESTICIDE LAW OF 1971.(6/16) S-REPTD FAV.
 S. 487 PATROLMEN'S EQUIPMENT-DISPOSITION.(6/18) H-COM AMEND ADOPTED;
 H-PASSED 3RD READING.
 S. 498 IND^L REVENUE-ANTIPOLLUT. FACILS..(6/14) H-PASSED 3RD
 READING.
 S. 514 REDEV. COMM^NS-PRIVATE SALES.(6/18) S-COM AMEND ADOPTED;
 S-PASSED 2ND READING.
 S. 550 ENG. AND LAND SURVEY LAW REWRITE.(6/07) S-REPTD FAV AS
 AMENDED; S-PLACED ON CAL JUNE 23.
 S. 570 NC SEED LAW REVISIONS. H-PASSED 3RD READING.
 S. 574 REGULATING UNC UTILITIES. H-PASSED 2ND & 3RD READING.
 S. 575 EXTENDING UNC UTILITIES. H-PASSED 2ND & 3RD READING.
 S. 576 BONDS FOR UNC UTILITIES. H-PASSED 3RD READING.
 S. 577 PURCHASED GAS ADJUSTMENT CLAUSES.(6/01) H-REPTD FAV.
 S. 586 DIVORCE VALIDATIONS. H-REC FROM HOUSE; H-REF TO COM ON JUDIC
 1.
 S. 623 INCORPORATE CITY IN SANIT. DIST.. H-REC FROM SENATE; H-REF
 TO COM ON LOC GOVT.
 S. 638 AUTO INSUR. CLASS. 260 PLAN. H-POSTPONED TO JUNE 22.
 S. 640 INSOLVENT INSURER GUARANTY ASSOC..(6/17) H-PASSED 3RD
 READING.
 S. 643 MILK COMM^N LAW REWRITE. S-REPTD FAV; S-PLACED ON CAL JUNE
 22.
 S. 648 TRAFFIC RULES-COMMUNITY COLLEGES. H-POSTPONED TO JUNE 21.
 S. 655 PORK PRICING STUDY COMM^N. H-REC FROM SENATE; H-REF TO COM
 ON AGRICULT.
 S. 657 BUILDING CODE CLARIFICATION.(6/18) S-COM AMEND ADOPTED;
 S-PLACED ON CAL JUNE 21.
 S. 661 HIGHWAY COMMISSION LEGAL COUNSEL. H-REC FROM SENATE; H-REF
 TO COM ON ROADS.

- S. 708 INDEXING CROP LIEN-PROPERTY OWNER. S-PASSED 2ND & 3RD READING.
- S. 719 INTERSTATE FIRE FIGHTING COMPACT.(6/18) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- S. 743 CREATING METRO CITY WATER DISTRICTS. S-PASSED 3RD READING.
- S. 744 (J.RES.) OPPOSING CLOSING U.S. 441. H-REC FROM SENATE; H-REF TO COM ON ROADS; H-RECALLED FROM COM; H-PASSED 2ND & 3RD READING.
- S. 753 FUNDS FOR HOG CHOLERA INDEMNITY. H-REC FROM SENATE; H-REF TO COM ON APPROPN.
- S. 772 POSTAL SAVINGS ESCHEAT. S-REPTD FAV.
- S. 784 SPOILED SHELLFISH SEIZURE. S-PASSED 2ND & 3RD READING.
- S. 786 PERMIT FEES FOR PEN-RAISED QUAIL. S-REPTD FAV.
- S. 793 NONRESIDENT TUITION INCREASE. S-RECALLED FROM COM; S-RE-REF COM ON FINANCE.

- H. 51 OPEN PUBLIC MEETINGS.(3/18, 3/23, 3/24, 6/03, 6/10, 6/11) H-PASSED 2ND & 3RD READING.
- H. 59 UNIFORM MUNICIPAL ELECTION LAWS.(6/18) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED; H-PLACED CAL FOR JUNE 23.
- H. 82 AUTO INSURANCE RATES,AGE-1. H-POSTPONED TO JUNE 22.
- H. 83 AUTO INSURANCE RATES,AGE-2. H-POSTPONED TO JUNE 22.
- H. 93 SECURE LOADS ON TRUCKS.(3/09, 3/11, 6/17) S-PASSED 2ND READING.
- H. 155 NUISANCES-PUBLIC MORALS.(4/22, 4/27, 5/25, 5/26, 6/18) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- H. 169 MACHINERY ACT OF 1971.(6/16) H-POSTPONED TO JUNE 22.
- H. 237 LEGISLATIVE ELECTRONIC VOTING.(6/18) S-COM AMEND ADOPTED; S-PASSED 2ND READING; S-PASSED 3RD READING.
- H. 315 TOWED VEHICLES FIRMLY ATTACHED.(6/17) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- H. 320 DOCTORS' SPEED LIMITS.(6/15, 6/17) H-PASSED 2ND & 3RD READING.
- H. 393 SUBCONTRACTORS' LIENS REWRITE. H-POSTPONED TO JUNE 23.
- H. 478 PAY FOR SCHOOL-INJURED TEACHER.(6/01) S-PASSED 2ND & 3RD READING.
- H. 528 DRIVER POINT REDUCTION-CLINIC.(5/12, 6/09) H-POSTPONED TO JUNE 21.
- H. 551 LIQUOR IN PUBLIC SCHOOLS.(6/18) H-COM AMEND ADOPTED; H-POSTPONED TO JUNE 24.
- H. 581 CLOSING A CLASS WITH A BOND.(5/26) S-PASSED 2ND & 3RD READING.
- H. 698 BURIAL ASSOC.-12 ASSESSMENTS. S-REPTD FAV.
- H. 701 TAXATION OF BANKS-2.(5/19) H-REPTD FAV.
- H. 709 COASTAL FISHERIES ASSESSMENTS.(6/11) S-PASSED 2ND & 3RD READING.
- H. 736 US CONST.-RATIFY 18 YR. AMEND.-2. S-REPTD UNFAV-MIN REPORT; S-PLACED ON CAL JUNE 23.
- H. 776 REMOVAL OF GRAVES.(5/05, 5/18, 6/16) H-REC TO CONCUR COM SUB; H-REF TO COM ON JUDIC 2.

- #H. 795 STATE PURCHASES AND CONTRACTS. H-POSTPONED INDEF.
- #H. 801 IND'L REVENUE-ANTIPOLLUT. FACILS..(6/15) H-POSTPONED INDEF.
- H. 817 STUDY COMM'N, UNC UTILITIES. H-PASSED 2ND & 3RD READING.
- #H. 818 REGULATING UNC UTILITIES. H-POSTPONED INDEF.
- #H. 819 BONDS FOR UNC UTILITIES. H-POSTPONED INDEF.
- #H. 820 EXTENDING UNC UTILITIES. H-POSTPONED INDEF.
- H. 827 (J.RES.) BUSING STUDENTS-PETITION CONG.. S-PASSED 2ND & 3RD READING.
- #H. 832 PUBLIC ASSISTANCE-US PROGRAMS.(5/10, 6/18) H-FLOOR AMEND ADOPTED; H-TABLED.
- H. 833 SOCIAL SECURITY CERTIFICATIONS. S-PASSED 2ND & 3RD READING.
- H. 862 PUBLIC SCHOOL EMPLOYEE SICK LEAVE. S-RE-REF COM ON APPROPRN.
- H. 871 AUTO LITTER BAGS.(6/16) H-POSTPONED TO JUNE 21.
- H. 876 (J.RES.) EXEC. REORG. AMEND-HIGHER ED. H-POSTPONED TO JUNE 25.
- #H. 882 REGULATING UNC UTILITIES. H-POSTPONED INDEF.
- H. 893 VOCATIONAL EDUCATION FUNDS.(5/28) S-PASSED 2ND & 3RD READING.
- H. 908 INS. RATE APPEALS TO CT. OF APPS.. H-PASSED 2ND & 3RD READING.
- #H. 912 NC SEED LAW REVISIONS. H-POSTPONED INDEF.
- H. 921 ENLARGING CITY SCHOOL ADM. UNITS. S-PLACED ON CAL JUNE 21.
- H. 942 EMPLOYMENT SECURITY LAW CHANGES.(5/21, 5/24, 6/18) S-COM AMEND ADOPTED; S-PLACED ON CAL JUNE 23.
- H. 948 HOSPITAL AUTHORITIES LAW REWRITE.(6/10, 6/17) H-PASSED 3RD READING.
- H. 957 NO TOLLS ON STATE FERRIES.(6/18) H-COM AMEND ADOPTED; H-PASSED 2ND READING.
- H. 965 PRORATE INHERITANCE TAX EXEMPTION. S-REPTD FAV.
- H. 984 HANDICAPPED CHILDREN INSTRUCTION. S-PASSED 2ND & 3RD READING.
- #H. 998 INSOLVENT INSURER GUARANTY ASSOC.. H-POSTPONED INDEF.
- H.1000 AUTO INSUR. CLASS. 260 PLAN. H-POSTPONED TO JUNE 22.
- H.1002 TRAFFIC RULES-COMMUNITY COLLEGES. H-POSTPONED TO JUNE 21.
- H.1007 CAMPUS VEHICLE REGISTRATION. H-PASSED 2ND & 3RD READING.
- H.1008 LICENSING RENTAL VEHICLES. H-PASSED 2ND & 3RD READING.
- H.1033 DRUG ABUSER CENTERS.(6/18) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED; H-RE-REF COM ON APPROPRN.
- H.1042 DENTISTRY LAW REVISION.(6/04) S-REPTD FAV.
- H.1043 DENTAL HYGIENE LAW REVISION.(6/04) S-REPTD FAV.
- H.1044 HUSBAND-WIFE TRESPASS TESTIMONY.(6/18) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
- H.1060 EVIDENCE IN BOAT ACCIDENT CASES.(6/04) S-PASSED 2ND READING.
- H.1082 INVESTMENT COMPANIES-TAXATION. H-REPTD FAV.
- H.1087 NONRESIDENT TUITION INCREASE.(6/17) H-PASSED 3RD READING.
- H.1094 MUTUAL INSUR. CO. DIRECTORS. H-PASSED 2ND & 3RD READING.
- H.1095 MUTUAL INSUR. COMPANIES CAPITAL. H-PASSED 2ND & 3RD READING.
- H.1097 BEER, WINE, AND LIQUOR PERMITS. H-PASSED 2ND & 3RD READING.
- H.1103 TRANSFER CAPITOL POLICE TO SBI. H-PASSED 2ND READING.
- #H.1111 ADVERTISING SALE OF SUBDIVISIONS. H-TABLED.
- H.1112 LIMITED DRIVING PRIVILEGE.(6/18) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- #H.1136 (J.RES.) MEMORIALIZING BRANTLEY. RATIFIED RES. 82.

- #H.1146 CITY AUTO LICENSE TAX INCREASE. H-REPTD UNFAV.
- H.1154 SCHOOL BOARD HEARINGS. S-PASSED 2ND & 3RD READING.
- H.1169 REPEALING GOV'T VEHICLE EXEMPTION. H-REPTD FAV.
- H.1201 NO TAKING ALLIGATORS.(6/17) H-REC TO CONCUR IN S AMEND;
H-CONCURRED IN S AMEND.
- H.1211 INVESTMENT COMPANY TAXES. H-REPTD FAV.
- #H.1219 (J.RES.) HONORING J. HERMAN LEDER. RATIFIED RES. 83.
- H.1221 6-12 MEMBER CIVIL JURY-CONST. AMD.. H-REPTD FAV.
- #H.1227 COSMETIC ART BD. EX'S SALARIES. RATIFIED CH. 616.
- H.1230 INTERSTATE ENVIRONMENTAL COMPACT. H-REPTD FAV.
- H.1270 TAXING PROPERTY HAULING VEHICLES. H-POSTPONED TO JUNE 21.
- H.1292 HAM VEHICLE LICENSES. H-PASSED 2ND READING.

LOCAL BILLS

- S. 507 (GUILFORD) CONDEMNATION PROCEDURES. H-PASSED 2ND READING.
- S. 624 (CASWELL) YANCEYVILLE INCORPORATION.(6/15) H-REC FROM SENATE;
H-REF TO COM ON LOC GOVT.
- S. 637 (DAVIDSON) THOMASVILLE CITY ELECTIONS.(6/18) H-COM AMEND
ADOPTED; H-PASSED 2ND & 3RD READING.
- S. 742 (BUNCOMBE) METRO WATER DIST.-CIVIL SERVICE. H-REC FROM
SENATE; H-REF TO COM ON LOC GOVT.
- S. 749 (HALIFAX) ROANOKE RAPIDS CITY LIMITS.(6/16) S-PASSED 3RD
READING.
- S. 762 (ROBESON) ST. PAULS CHARTER. H-REC FROM SENATE; H-REF TO COM
ON LOC GOVT.
- S. 771 (YANCEY) RACCOON AND OPOSSUM HUNTING. H-REC FROM SENATE; H-REF
TO COM ON WILDLIFE.

- H. 970 (NASH) SALES AND USE TAXES.(6/18) H-COM AMEND ADOPTED;
H-PASSED 2ND READING.
- H. 971 (EDGEcombe) SALES AND USE TAXES.(6/18) H-COM AMEND ADOPTED;
H-PASSED 2ND READING.
- #H.1030 (DAVIDSON) THOMASVILLE CITY ELECTIONS. H-POSTPONED INDEF.
- #H.1047 (GASTON) CHERRYVILLE FIREMEN RETIREM'T.(6/04) RATIFIED CH.
608.
- H.1059 (ROWAN) TAXATION OF MINERAL INTERESTS. H-REPTD FAV.
- #H.1074 (CLEVELAND) SHELBY FILING FEES. RATIFIED CH. 609.
- #H.1100 (MECKLENBURG) NUMBER OF HOSPITAL COMMISSIONERS. RATIFIED CH.
610.
- H.1104 (CATAWBA) HICKORY ANNEXATION.(6/18) H-COM AMEND ADOPTED;
H-PASSED 2ND READING.
- #H.1108 (CHEROKEE) MURPHY TOWN LIMITS.(6/04) RATIFIED CH. 611.
- H.1114 (ONslow) BOARD OF EDUCATION REALTY SALE. S-PASSED 2ND & 3RD
READING.
- #H.1119 (RICHMOND) HAMLET ABC FUNDS. RATIFIED CH. 612.
- #H.1120 (RICHMOND) ROCKINGHAM ABC FUNDS. RATIFIED CH. 613.
- #H.1126 (DURHAM) DURHAM FIREMEN RETIREMENT. RATIFIED CH. 614.
- H.1130 (GASTON) GASTONIA-FIVE GALL. LIMIT. S-REC FROM HOUSE; S-REF
TO COM ON ABC.

- H.1140 (DUPLIN) WALLACE CONTRACT BID LIMITS.(6/17) H-PASSED 2ND READING.
- #H.1150 (ROCKINGHAM) REIDSVILLE ABC PROFITS. RATIFIED CH. 615.
- H.1186 (CATAWBA) TAX COLLECTOR. H-PASSED 2ND & 3RD READING.
- H.1195 (MOORE) INCORPORATE WEST END. H-REPTD FAV AS AMENDED.
- H.1203 (ROBESON) MAXTON CHARTER.(6/18) H-COM AMEND ADOPTED; H-PASSED 2ND READING.
- H.1208 (PITT) LEASE OF SCHOOL PROPERTY. S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
- H.1216 (AVERY) COUNTY COMM'RS-OFFICE TERMS. H-PASSED 2ND & 3RD READING.
- H.1225 (TYRRELL) CUSSING ON HIGHWAYS. H-REPTD FAV AS AMENDED.
- H.1238 (FORSYTH) BEER SALES AND CONSUMPTION. H-PASSED 2ND & 3RD READING.
- H.1240 (GRANVILLE) STOVALL BONDS. H-PASSED 2ND READING.
- H.1242 (ROWAN) CITY,COUNTY ZONING.(6/18) H-COM AMEND ADOPTED; H-PASSED 2ND READING.
- H.1251 (EDGEcombe) PRINCEVILLE ANNEXATION.(6/18) H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING.
- H.1252 (MITCHELL) TAX LISTING BY MAIL. H-PASSED 2ND READING.
- H.1253 (MITCHELL) ACCOUNTANT & TAX SUPERVISOR.(6/18) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H.1254 (AVERY) ELECTION BOARD TERMS,SELECTION. H-PASSED 2ND & 3RD READING.
- H.1265 (HAYWOOD) COUNTY AIRPORT AUTHORITY.(6/18) H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING.
- H.1277 (YADKIN) SHERIFF'S DEPUTIES-REGULATION. H-PASSED 2ND & 3RD READING.
- H.1283 (UNION) MONROE ELECTION PROCEDURE. H-PASSED 2ND & 3RD READING.
- H.1284 (UNION) MONROE SCHOOL BOUNDARIES. H-PASSED 2ND READING.
- H.1289 (GUILFORD) HIGH POINT CIVIL SERVICE ACT. H-PASSED 2ND & 3RD READING.

Next Sessions of Senate and House: 9:00 a.m., Saturday, June 19, 1971; 8:00 p.m., Monday, June 21, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
P. O. BOX 7294, RALEIGH, N. C.
27611 TEL. 755-3355
829-7677

BULLETIN NO. 114

-1063-

MONDAY, JUNE 21, 1971

Note: The Senate and House convened at 9:00 a.m. Saturday, June 19, 1971, for consideration of local bills only. No bills were introduced and no calendar action was taken in either Chamber.

PUBLIC BILLS INTRODUCED

SENATE

S 826 (Joint Resolution) Gov's Mansion Bldg. Comm'n
Introducer: Coggins

MISC RES
Sent to ST GOVT

"Creating the Executive Residence Building Commission." Creates seven member Executive Residence Bldg. Comm'n to be appointed by Lieut. Gov., Speaker of House, and Gov. and a citizens Advisory Committee to be appointed by Gov. charged with developing plans and cost estimates for a spacious new governor's residence to be submitted to 1973 General Assembly. Cost estimate to be submitted to Adv. Budget Comm'n not later than Nov. 1, 1972. Expenses of Comm'n to be paid from Contingency and Emergency Fund, not to exceed \$25,000 for 1971-3.

S 827 (Senate Resolution) LRC emergency care
service study
Introducer: Jones

STUDY
Sent to PUB HLTH

"Authorizing and directing the Legislative Research Commission to study and investigate the occurrence of injuries and fatalities caused by accident and acute illnesses among persons in North Carolina and to formulate a comprehensive emergency care service system in the State." As title indicates. Comm'n to report findings and recommendations to 1973 General Assembly.

S 829 Compulsory workmen's comp. law
Introducer: Staton

GS 97
Sent to MFG LABR

"To amend the Workmen's Compensation Act to provide for a compulsory workmen's compensation law." Amends GS 97-3 to make workmen's compensation benefits and payments compulsory (now can be waived), and deletes provision allowing employee to elect otherwise. Repeals GS 97-4, -14, -15 and -16 (which repealed sections related to cases where the Act has been waived), and makes conforming amendments in GS 97-5, -7, -9, -10.1, -27(a), -93, and -94. Effective July 1, 1971.

S 830 Regulating auto insurance rates-3 (Iden. H 1347)
Introducers: Norton and others

GS 58
Sent to INSUR

"Amending Chapter 58 of the General Statutes so as to provide a more competitive system of arriving at automobile insurance rates, to provide an improved standard for rate determination and to prevent monopoly and collusion in rating." Establishes new Art. 24A, GS Ch. 58 to provide new method of rate making for automobile insurance in North Carolina. Requires insurers to file proposed rate, rating plan, rating system or underwriting rule with Insurance Commissioner 60 days (90 days on initial filing) prior to putting into effect. The Comm'r



may hold hearings and reject rate submissions. Effective date for proposed rates may be delayed 30 days if Comm'r has commenced but not completed hearings. Comm'r also has power, after notice and hearing, to disapprove rate once it has become effective. Thus, bill combines modified file and use with aspects of prior approval. Defined standards require that rates not be excessive, inadequate, unreasonable, unfairly discriminatory, or not in the public interest. Factors to be considered include past and prospective loss experience and expenses in and outside the state, underwriting profit, investment income, and relevant others, including judgment factors. Rules set forth for companies, rating organizations and underwritings, including examination of rating organizations by Comm'r at least once every five years. Eliminates the functions of the present Rate Administrative Bureau so far as private passenger automobile insurance rates are concerned. Provides penalties for failure of compliance with final order of Comm'r and violation of other provisions. Penalties include fines and suspension or revocation of insurer's certificate of authority or rating organizations' license. Creates a Rate Analysis Section to audit and measure filed rates against statutory standards and recommend rating law changes to Comm'r. Permits reinstatement of prior approval system by Comm'r upon determination of unsatisfactory rates, emergency, insufficient competition to insure rates not excessive, destructiveness of competition or detriment to insurer solvency. Details comprehensive anti-trust and anti-collusion provisions. Applicable to all private passenger automobile insurance rates except those established for North Carolina Automobile Plan (assigned risk). Invalidity of any provision not to affect other provisions of Act. Present automobile liability rating statutes (Art. 25, GS Ch. 58) remain codified so can be reinstated in event Comm'r reinstates prior approval. Effective Dec. 1, 1972, but no initial rate filing effective prior to March 1, 1973.

S 831 Insurance Dep't funds
Introducer: Norton

APPROPRIATION
Sent to APPROPN

"To appropriate funds to the North Carolina Department of Insurance for the use of the Administrative Law Division, the Complaints Division and the Fire and Casualty Division." As title indicates appropriates \$852,510 for 1971-3; of this total, \$367,471 for first fiscal year and \$485,039 for second fiscal year.

S 832 Ass't school supt. contracts
Introducer: McGeachy

GS 115
Sent to EDUCATN

"To amend G.S. 115-44 and G.S. 115-142(b) to provide for contracts from one to four years for assistant and associate superintendents." As title indicates. Term may not exceed, however, expiration date of superintendent's contract unless remaining time on superintendent's contract is less than one year. Term to be stated in written contract.

S 833 (Joint Resolution) Role of nurses study
comm'n (Iden. H 1339)
Introducer: Joyner

STUDY
Sent to PUB HLTH

"Authorizing and directing the Legislative Research Commission to study the lawful role of nurses in the provision of comprehensive health care."
Identical with H 1339 digested in the House section of today's Bulletin.

S 836 Appeals from Ind'l Comm'n
Introducer: Staton

GS 97
Sent to MFG LABR

"To amend G.S. 97-86 relating to appeals from the Industrial Commission."

Adds new paragraph to GS 97-86 providing that when any party to appeal from award by Industrial Comm'n is unable because of indigence to make deposit or give security required for appeal, Chairman of Comm'n may enter an order allowing party to appeal without giving security. Party desiring to appeal from judgment must within 30 days of filing of award make an affidavit stating that he is unable by reason of indigence to give required security, and that he has been advised by attorney that there are errors of law in the case. Affidavit must be accompanied by written statement from attorney that he has examined the case and is of opinion that decision is contrary to law. Comm'r must render decision on whether to grant appeal within 30 days of receiving affidavit.

S 837 Licensing grain dealers
Introducer: Wood by request

GS 106
Sent to AGRICULT

"To require the licensing of grain dealers by the Department of Agriculture and for other purposes." Establishes procedure for licensing of grain dealers, (excludes any person who buys or contracts to buy grain for seed purposes or for use as feed on own or leased farmland and who does not resell or contract to resell any of such grain). Provides for Comm'r of Ag. to issue annual license to grain dealer for \$10 fee and for dealers to conspicuously display such licenses. Permits Comm'r to refuse to issue license to any person who within three years has been convicted of any felony or crime involving moral turpitude and grants Comm'r power to suspend or revoke license after notice of any dealer who knowingly falsely makes, issues, forges, or counterfeits any official certificate or memorandum of sale, or who knowingly falsely represents to any person that any grain has been officially inspected or graded, or who falsely represents weight, grade, quantity or condition of any grain or lot thereof. Provides for appeal pursuant to GS Ch. 150. Authorizes Comm'r to make inspections and investigations to carry out Act. Authorizes NC Bd. of Ag. to adopt rules and regulations pursuant to Act. Violation of act or regulations constitute misdemeanor punishable by \$25 to \$100 fine, 60 days or both. Effective January 1, 1972.

S 838 Educ. instits.-paved streets (Iden. H 1350)
Introducers: Mills and others

GS 136
Sent to ROADS

"To amend Chapter 136 of the General Statutes so as to permit the State Highway Commission to provide for the construction and maintenance of paved streets and roads upon the campus of each institution of higher learning, each health and mental health facility, and each school for the deaf, or school for the blind."
Adds new GS 136-18(24) authorizing State Highway Comm'n to maintain paved streets and roads upon above when such paving or maintenance has been authorized by General Assembly in Capital Improvement Appropriation Bill enacted by General Assembly, costs of such to be borne by Highway Fund, and priority to be given such projects to insure they will be accomplished as soon as feasible during biennium for which authorization was given.

HOUSE

H 1339 (Joint Resolution) Role of nurses study comm'n STUDY
(Iden. S 833) Sent to HEALTH
Introducer: Chase

"Authorizing and directing the Legislative Research Commission to study the lawful role of nurses in the provision of comprehensive health care." As title indicates, with study to emphasize ways in which functions and skills of nurses can be increased. Directs Comm'n to report findings and recommendations to 1973 General Assembly.

H 1340 (Joint Resolution) General Assembly study comm'n STUDY, GS 120
introducers: Jones and others Sent to ST GOVT

"Creating the Commission to study the operation of the North Carolina General Assembly." Creates Comm'n as title indicates, to be composed of 16 members (8 Senators, 3 appointed by Pres. of Senate, 3 by Pres. Pro Tempore, and 2 by Minority Leader; and 8 Representatives, 3 appointed by Speaker, 3 by Majority Leader, and 2 by Minority Leader) appointed July 1, 1971. Directs Comm'n to make thorough study of operation of NC General Assembly, determining need for reorganizing committee system to conform generally with new State Gov't Reorganization and filing report by Dec. 1, 1972, with findings and recommendations. Provides for Comm'n's expenses to be paid from Contingency and Emergency Fund.

H 1341 Trusts for counties GS 155
Introducers: Arnold and Love Sent to JUDIC 2

"To validate certain trust provisions." Amends GS 155-11 ("Treasurer administers property held in trust for county") by adding provision that except where otherwise provided by deed, will or other document creating trust or order of a court of competent jurisdiction, county treasurer shall administer property in trust for county (now uniformly administered by county treasurer).

H 1342 Toxic Vapors Act GS 90
Introducer: Beatty Sent to JUDIC 1

"To rewrite the laws relating to inhaling toxic vapors." Adds new Art. 5A to GS Ch. 90 prohibiting inhalation of toxic vapors for purposes of intoxication or stupefaction. Also prohibits sale of substances for production of toxic vapors and possession. Violation a misdemeanor.

H 1343 Governor's western manor APPROPRIATION
Introducers: DeBruhl and others Sent to APPROPRN

"To provide an allotment for the fencing of the Governor's Western Mansion." As title indicates, appropriates from Contingency and Emergency Fund not more than \$25,000.

H 1345 10-year limited driving privilege GS 20
Introducer: R. Brown Sent to HY SAFETY

"To amend G.S. 20-179 relating to limited driving privileges to define first conviction." Amends GS 20-179(b)(1) ("Penalty for driving under influence...") to provide that for purposes of subsection any conviction that occurs more than 10 years

after a next previous conviction shall be considered a first conviction. Act to be given retroactive effect and considered effective from Feb. 19, 1971. Dist. and sup. ct. judges given authority to modify to grant limited driving privilege any judgment issued between Feb. 19, 1971 and date of ratification in any criminal action for driving under influence, whereof defendant was prohibited from obtaining limited driving privilege solely by reason of having a prior conviction more than 10 years previous to date of his conviction.

H 1346 Opticians-new program study
Introducers: Twiggs and R. Farmer

GS 90
Sent to HEALTH

"Amending G.S. 90-246 to require registered opticians to attend courses of study or programs in new techniques or achievements in research during each calendar year." Adds provision to GS 90-246 as title indicates, programs to be approved by Board of Opticians, to relate to the practice of a dispensing optician, and not to exceed 10 hours in any calendar year. Requirement may be waived in cases of certified illness or undue hardship.

H 1347 Regulating auto insurance rates-3 (Iden. S 830)
Introducers: Leatherman and Rhyne

GS 58
Sent to INSUR

"Amending Chapter 58 of the General Statutes so as to provide a more competitive system of arriving at automobile insurance rates, to provide an improved standard for rate determinations and to prevent monopoly and collusion in rating." Identical with S 830 digested in the Senate section of today's Bulletin.

H 1348 County intangibles tax exemptions
Introducers: Taylor and Mayfield

CONSTITUTION, GS 105
Sent to CONSTITUTN

"To amend the Constitution of North Carolina to authorize the General Assembly to permit each county to elect to exempt from taxation any property having a business, commercial or taxable situs in such county which is classified for taxation and subject to tax levied by the State for the benefit of counties and municipalities of the State." Rewrites Sec. 2(3), Art. V of NC Const. by adding proviso granting General Assembly power to authorize each county to elect to exempt from taxation any property having business, commercial or taxable situs in such county which is classified for taxation and subject to tax levied by State for benefit of counties and municipalities, and to the extent of such exemption to limit or eliminate such counties' distributive share of the receipts of such tax. Provides for amendment to be submitted to vote at next general election and, if approved, to become effective on January 1 after its ratification.

H 1349 Juvenile correction revision
Introducers: Auman and Falls

GS 134
Sent to CORRECTN

"Changes name of Board of Juvenile Correction to Department of Youth Development, substituting new name where appropriate in GS Ch. 134." Provides for term of six years for all members of Bd. (now, three members serve 2-yr., 4-yr. and 6-yr. terms, respectively).

H 1350 Educ. instits.-paved streets (Iden. S838)
Introducers: H. Rountree and others

GS 136
Sent to APPROPN

"To amend Chapter 136 of the General Statutes so as to permit the State Highway Commission to provide for the construction and maintenance of paved streets

and roads upon the campus of each institution of higher learning, each health and mental health facility, and each school for the deaf, or school for the blind." Identical with S 838, digested in the Senate section of today's Bulletin.

H 1351 Community drug abuse program-2
Introducers: Chase and Raynor

GS 122, APPROPRIATION
Sent to APPROPRN

"To authorize the State Department of Mental Health to establish community-based programs for the treatment and prevention of drug abuse." Identical with S 756-H 1200, digested in Bulletin No. 105, p. 945, except for the following differences: (1) Provides all funds appropriated to be expended in accordance with act. (2) Makes total appropriation under act \$500,000 for 1971-73 biennium (\$2,800,000 in S 756-H 1200); \$200,000 to be for fiscal 1971-72 and \$300,000 for fiscal 1972-73.

H 1352 Juvenile hearings
Introducers: Davis and others

GS 7A
Sent to JUDIC 1

"To provide that in juvenile hearings there shall be a right to have the hearings reported by a court reporter or other acceptable methods." Amends GS 7A-285 to provide in juvenile hearings the child, his guardian, his custodian or either or both of his parents shall have right upon request to have hearing reported by one of methods set forth in GS 7A-198 for reporting of civil trials and shall be advised of this right.

H 1353 Tort claim award-Minor
Introducer: Davis

APPROPRIATION, GS 97
Sent to APPROPRN

"To authorize the Industrial Commission to review a certain tort claim." As title indicates, authorizes Comm'n to hear tort claim of Mrs. Linda Gale Henderson Minor and award her not to exceed \$50,000; appropriates from the General Fund for that purpose.

LOCAL BILLS INTRODUCED

SENATE

S 828 Dunn ABC fund
Introducer: Staton

HARNETT
Sent to ABC

"To repeal Chapter 990 of the 1969 Session Laws relating to ABC funds in the Town of Dunn to give regular police officers of Town of Dunn authority to enforce ABC laws and to direct the ABC Board to pay ABC funds to the Town of Dunn for that purpose." As title indicates.

S 834 Extra-territorial zoning powers
Introducer: Moore

MECKLENBURG
Sent to LOC GOVT

"To remove the extra-territorial zoning power of each of the municipalities in Mecklenburg County." As title indicates modifies GS 160-181.2. Charlotte may continue to exercise planning, building regulation and subdivision regulation in areas over which extra-territorial jurisdiction was acquired through previous local acts. Any zoning ordinance or special use permit now in effect in extra-territorial jurisdiction of any municipality shall remain in effect until amended or repealed by county comm'rs. Intent that Mecklenburg County do all zoning in county except for areas within municipalities. Effective Jan. 1, 1972.

S 835 School tax refund
Introducer: Aillsbrook

HALIFAX, WARREN
Sent to LOC GOVT

"To authorize and direct the tax collecting authorities of Halifax and Warren Counties to refund certain school taxes because the acts creating the Warrenton City Administrative Unit and the Littleton-Lake Gaston School District were declared by the federal courts to be invalid and unconstitutional." As title indicates requires refunds of taxes collected pursuant to Chs. 578 and 628 of 1969 SL, which taxes were never spent because objectives declared invalid.

HOUSE

H 1344 Edenton streets and sidewalks
Introducer: Culpepper

CHOWAN
Sent to LOC GOVT

"To amend the Charter of the Town of Edenton to provide for a street and sidewalk assessment procedure." Provides Town Board may make street and sidewalk improvements, and may assess 50% of total cost of same against abutting property owners without petition of property owners.

H 1354 Erwin elections
Introducers: Arnold and Love

HARNETT
Sent to LOC GOVT

"Amending the Charter of the Town of Erwin to require a majority vote for election as Mayor or Commissioner." Rewrites Sec. 4-2, Ch. 12, 1967 SL to provide in 1973 election and quadrennially thereafter, each voter shall be entitled to vote for two candidates for comm'r and in 1975 for three candidates for comm'r, and provides for election by majority vote of comm'rs and mayor. Provides for procedure if no candidate receives majority, for tie elections, and for runoff elections.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 287 Drug vehicle forfeitures (digested in Bulletin No. 45, p. 323)
Committee Substitute adopted in Senate 6/21/71 expands provisions of GS 90-111.2(b) to provide any vehicle, vessel or aircraft which has been or is being used in violation of GS 90-111.2(a), except common carrier, may be seized by peace officer who shall take possession of such vehicle and arrest person in charge thereof. Requires officer to proceed at once against person arrested under articles's provisions, but permits seized vehicle to be returned to owner upon execution by him of bond with sufficient securities in sum double value of vehicle upon condition same be returned to custody of arresting officer on day of trial to abide judgment of court. Provides for sale by public auction of vehicle unless person claiming ownership can prove seized property was his and was being used in transportation of narcotic drugs without his knowledge and consent (grants right to jury trial on such claim). Prescribes sale procedure after publication in newspaper if no one claims vehicle. Also authorizes SBI to retain vehicle for use in official investigation.

S 514 (Sampson) Redev. comm'ns-private sales (digested in Bulletin No. 77, p. 617; amendment adopted in Senate digested in Bulletin No. 113, p. 1053)
Amendment adopted in Senate 6/21/71 adds Sampson to list of counties in which act applies.

S 540 State gov't reorganization (Iden. H 836, digested in Bulletin No. 80, p. 647)

Committee Substitute adopted in Senate 6/21/71 makes following changes: (1) type III transfers are eliminated. (2) Transfers power to organize and reorganize the principal departments and assign and reassign duties from the head of the principal dep't to the Governor. (3) Deletes provision authorizing dep't heads to appoint chief deputies, their salaries to be set by Advisory Budget Comm'n and not be subject to State Personnel Act. (4) Among principal dep'ts, changes title of Dep't of Public Instruction to Dep't of Public Education, Dep't of Health and Social Services to Dep't of Human Resources, and deletes Local Affairs from principal dep'ts. (5) Makes following changes in transfers of existing agencies to principal dep'ts or in type of transfer (principal dep't to which transferred or type of transfer in original bill shown in parentheses): St. Bd. of Elections to Sec'y of State by Type II (Type III); Local Gov't Comm'n to Treasurer by Type II (Type III); Tax Review Bd. to Treasurer by Type II (Type III); Bd. of Educ. to Dep't of Public Education by Type I (Type III) and Super. of Pub. Instruction to be Sec'y and chief admin. officer of Bd. of Educ.; Dep't of Community Colleges to Pub. Educ. by Type I (Type III); Vocational Textile School to Pub. Educ. by Type II (Type III); Advancement School to Pub. Educ. by Type I (Type III); Textbook Comm'n to Pub. Educ. by Type I (Type III); Construction Finance Auth. to Dep't of Admin by Type II (Type I); Governmental Relations Div. to Dep't of Admin. by Type I (Local Affairs); Law and Order Div. and Committee on Law and Order to Admin. by Type I (Local Affairs); Comm'n of Education and Employment of Women to Admin. by Type I; Vehicle Equipment Safety Compact to Dep't of Motor Vehicles in Dep't of Trans. and Hy. Safety by Type I; Wildlife Resources Comm'n to Dep't of Natural and Economic Res. but Comm'n to exercise its powers independently of Sec'y of Dep't, and shall be subject to supervision of Sec'y only with respect to management functions of coordinating and reporting, and Exec. Dir. of Comm'n to be appointed by the Comm'n; Division of Community Planning and Committee on Community Planning to Dep't of Cons. and Dev. in Dep't Natural and Economic Res. by Type I (Local Affairs); Div. of Recreation and Committee on Rec. to Dept of Cons. and Dev. in Dep't Natural and Economic Res. by Type I (Local Affairs); ABC Bd. to Dep't of Commerce by Type II (Type III); Utilities Comm'n to Commerce by Type II (Type III); Employment Security Comm'n to Commerce by Type II (Type III); Industrial Comm'n to Commerce by Type II (Type III); Banking Comm'n to Commerce by Type II (Type III); Savings and Loan Div. of Dep't of Insur to Commerce by Type II (Building and Loan Div. by Type III); Savings and Loan Adv. Bd. to Commerce by Type II (Type I); Credit Union Div. of Agr. to Commerce by Type II (Type III); creates a Credit Union Comm'n within Commerce; Milk Comm'n to Commerce by Type II (Type III); Burial Comm'n and Comm'r to Commerce by Type II (Type III); REA to Commerce by Type II (Type III); Bd. of Assessment to Dep't of Revenue by Type II (Type III); Tryon's Palace Comm'n to Art, Culture and History, by Type II (Type I); Roanoke Island Hist. Association to Art, Culture and History by Type II (Type I); Adjutant General to Dep't of Military and Veterans Affairs by Type II (Type I). Changes date of transfer of agencies into existing dep'ts from Sept 30, 1971 to Oct. 1, 1971. Increases maximum funds Gov. may make available to implement reorg. from \$100,000 a year to \$500,000 a year.

- S 749 Roanoke Rapids city limits (digested in Bulletin No. 103, p. 925, Committee Substitute digested in Bulletin No. 111, p. 1023)
Amendment adopted in Senate 6/21/71 changes effective date from ratification to July 2, 1971.

HOUSE BILLS

- H 610 Local Government Finance Act (digested in Bulletin No. 61, p. 451; Committee Substitute digested in Bulletin No. 110, p. 1008)
Amendments adopted in House 6/21/71 delete provisions prohibiting duties of finance officer to be imposed on tax collector without express permission, and makes three Local Govt. Comm'n members appointed by Governor, one by Speaker of House, and one by Lieutenant Governor (now all appointed by Governor).
- H 836 State gov't reorganization (Iden. S54) (digested in Bulletin No. 80, p. 65)
Committee Substitute adopted in House is identical with Committee Substitute to S 54, digested above except that: (1) provision is added that (except where appointment by Gov. is authorized by statute) the dep't head shall appoint the administrative head of each transferred agency, and subject to provisions of State Personnel Act, appoint all employees of each division, section, or other unit under a principal dep't; and transfers Dep't of Local Affairs to Dep't of Cons. and Dev. in Dep't of Natural and Economic Resources by Type I transfer.
- H 900 Leg've approval-non SPA salaries (digested in Bulletin No. 83, p. 686; Amendments digested in Bulletin No. 96, p. 848)
Amendment adopted in Senate 6/21/71 makes bill applicable to any salary for an existing position or increase of salary (originally applicable to salary for new positions).
- H 1195 (Moore) Incorporate West End (digested in Bulletin No. 105, p. 949)
Amendment adopted in House 6/21/71 makes changes in dates and times for incorporation election and filing for Town Commr's if incorporation adopted. Makes technical corrections and rewords several sections of original bill, clarifying registration procedure for special election and initial Town Commr's election, notice required of candidates, and method of voting (permitting voting for five candidates).
- H 1225 (Brunswick, Tyrrell) Cussing on highways (digested in Bulletin No. 107, p. 973)
Amendment adopted in House 6/21/71 makes GS 14-197 ("Using profane or indecent language on public highways, counties exempt") applicable in Brunswick County as well as Tyrrell.

ERRATA

The following bill was inadvertently identified in Bulletin No. 113, p. 1051, as identical to S 820:

- H 1333 Bd. of Higher Ed. powers-2
Introducer: Andrews

GS 116
Sent to HIGHR ED

"To amend Article 16 of Chapter 116 of the General Statutes to provide effective means of program control and budget review for public higher education in North Carolina." Rewrites Art. 16, GS Ch. 116 to create 12 member Bd. of Higher Ed. to be appointed by Gov. and to have following powers: (1) prepare long-range plan for coordinated system of higher education; (2) no institution may request funding

for new degree program until Bd. has given its approval; (3) prescribe uniform statistical reporting policies; (4) recommend to bd of trustees of an institution on at least one year's written notice discontinuance of any degree program; (5) presidents of institutions required to furnish Bd. detailed information on enrollment and budget estimates. In reviewing estimates submitted by presidents, Bd. is to place special emphasis on requests for funding new educational programs. Bd. then to report its findings concerning whether new programs are consistent with its long-range plan to Director of Budget, Advisory Budget Comm'n and the presidents not less than 30 days before public hearings are to begin in connection with the preparation of the budget. Council of presidents and chancellors created to advise the Bd. Before Bd. takes any final action in regard to it's budgetary powers, notice must be given to the president of the universities affected and they must be given an opportunity to be heard. Bd's licensing authority over private institutions continued.

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 49 SERVICE OF PROCESS ON SHERIFF.(2/01, 3/30) S-REPTD FAV.
 #S. 96 ENVIRONMENTAL BILL OF RIGHTS.(5/05, 6/09, 6/10, 6/11)
 RATIFIED CH. 630.
 S. 287 DRUG VEHICLE FORFEITURE.(6/21) S-COM SUB ADOPTED.
 #S. 334 WORKMEN'S COMP.-EMPLOYEE DEATH-2.(6/01) RATIFIED CH. 631.
 S. 382 DISORDERLY CONDUCT.(5/19, 6/18) S-REC TO CONCUR IN H AMEND;
 S-PLACED ON CAL JUNE 22.
 #S. 398 SAVINGS & LOAN ASSOC.-POWERS.(5/13) RATIFIED CH. 632.
 S. 445 NC PESTICIDE LAW OF 1971.(6/16) S-PLACED ON CAL JUNE 22.
 S. 487 PATROLMEN'S EQUIPMENT-DISPOSITION.(6/18) S-REC TO CONCUR IN
 H AMEND; S-PLACED ON CAL JUNE 22.
 #S. 498 IND'L REVENUE-ANTIPOLLUT. FACILS.(6/14) RATIFIED CH. 633.
 S. 502 AMENDING ANATOMICAL GIFT ACT. S-PASSED 2ND READING.
 S. 514 REDEV. COMM'NS-PRIVATE SALES.(6/18, 6/21) S-COM AMEND
 ADOPTED; S-PASSED 3RD READING.
 S. 516 UNIV. STUDENT PUBL. FEES. S-PLACED ON CAL JUNE 22.
 S. 538 NC MEM. HOSP. DIRECTORS.(6/16) H-PASSED 2ND & 3RD READING.
 S. 540 ST GOV'T REORGANIZATION.(6/21) S-COM SUB ADOPTED; S-PLACED
 ON CAL JUNE 23.
 #S. 570 NC SEED LAW REVISIONS. RATIFIED CH. 637.
 #S. 574 REGULATING UNC UTILITIES. RATIFIED CH. 634.
 #S. 575 EXTENDING UNC UTILITIES. RATIFIED CH. 635.
 #S. 576 BONDS FOR UNC UTILITIES. RATIFIED CH. 636.
 S. 638 AUTO INSUR. CLASS. 260 PLAN. H-PLACED ON CAL JUNE 24.
 S. 640 INSOLVENT INSURER GUARANTY ASSOC..(6/17) S-REC TO CONCUR IN
 H AMEND; S-PLACED ON CAL JUNE 22.
 S. 657 BUILDING CODE CLARIFICATION.(6/18) S-PLACED ON CAL JUNE 22.
 S. 664 ABANDONMENT OF ROADS.(6/15) S-PLACED ON CAL JUNE 23.
 S. 708 INDEXING CROP LIEN-PROPERTY OWNER. H-REC FROM SENATE; H-REF
 TO COM ON JUDIC 1.
 S. 743 CREATING METRO CITY WATER DISTRICTS. H-REC FROM SENATE; H-REF
 TO COM ON JUDIC 2.
 #S. 744 (J.RES.) OPPOSING CLOSING U.S. 441. RATIFIED RES.85.
 S. 772 POSTAL SAVINGS ESCHEAT. S-PASSED 2ND & 3RD READING.
 S. 784 SPOILED SHELLFISH SEIZURE. H-REC FROM SENATE; H-REF TO COM
 ON HEALTH.
 S. 786 PERMIT FEES FOR PEN-RAISED QUAIL. S-PASSED 2ND READING.
 S. 803 PRINTING OF SESSION LAWS. S-REPTD FAV.
 S. 810 (J.RES.) THANKING MR. AND MRS. HUGHES. S-REPTD FAV.

- S. 819 LEGIS. BLDG. GOV. COMM^N. S-REPTD FAV.
- #H. 51 OPEN PUBLIC MEETINGS.(3/18, 3/23, 3/24, 6/03, 6/10, 6/11)
RATIFIED CH. 638.
- H. 82 AUTO INSURANCE RATES,AGE-1. H-PLACED ON CAL JUNE 24.
- H. 83 AUTO INSURANCE RATES,AGE-2. H-PLACED ON CAL JUNE 24.
- H. 93 SECURE LOADS ON TRUCKS.(3/09, 3/11, 6/17) S-PASSED 3RD
READING.
- H. 155 NUISANCES-PUBLIC MORALS.(4/22, 4/27, 5/25, 5/26, 6/18) H-REC
TO CONCUR IN S AMEND; H-PLACED ON CAL JUNE 23.
- H. 237 LEGISLATIVE ELECTRONIC VOTING.(6/18) H-REC TO CONCUR IN S
AMEND; H-CONCURRED IN S AMEND.
- #H. 283 NARCOTIC DRUGS-VEHICLE CODE.(4/20, 5/05, 5/07, 5/10, 6/16)
RATIFIED CH. 619.
- #H. 315 TOWED VEHICLES FIRMLY ATTACHED.(6/17) RATIFIED CH. 639.
- H. 320 DOCTORS' SPEED LIMITS.(6/15, 6/17) S-REC FROM HOUSE; S-REF
TO COM ON HY SAFTY.
- H. 468 REGULATING SUBDIVISION SALES. S-REPTD FAV AS AMENDED.
- #H. 478 PAY FOR SCHOOL-INJURED TEACHER.(6/01) RATIFIED CH. 640.
- #H. 581 CLOSING A CLASS WITH A BOND.(5/26) RATIFIED CH. 641.
- H. 610 LOCAL GOVERNMENT FINANCE ACT.(6/15, 6/21) H-FLOOR AMENDS
ADOPTED.
- H. 630 MASS GATHERINGS-REGULATION.(6/04, 6/10) S-REPTD FAV AS
AMENDED.
- H. 698 BURIAL ASSOC.-12 ASSESSMENTS. S-PASSED 2ND & 3RD READING.
- H. 701 TAXATION OF BANKS-2.(5/19) H-PASSED 2ND READING.
- #H. 709 COASTAL FISHERIES ASSESSMENTS.(6/11) RATIFIED CH. 642.
- H. 817 STUDY COMM^N,UNC UTILITIES. S-REC FROM HOUSE; S-REF TO COM
ON HIGHR ED.
- #H. 827 (J.RES.) BUSING STUDENTS-PETITION CONG; RATIFIED RES.86.
- #H. 833 SOCIAL SECURITY CERTIFICATIONS. RATIFIED CH. 643.
- H. 863 STATE GOV'T REORGANIZATION.(6/21) H-REPTD FAV COM SUBSTITUTE;
H-COM SUBSTITUTE ADOPTED; H-PLACED ON CAL JUNE 23.
- #H. 893 VOCATIONAL EDUCATION FUNDS.(5/28) RATIFIED CH. 644.
- H. 900 LEG^IVE APPROVAL NON-SPA SALARIES.(5/26, 6/01, 6/21) S-COM
AMEND ADOPTED; S-PASSED 2ND READING.
- H. 908 INS. RATE APPEALS TO CT. OF APPS.. S-REC FROM HOUSE; S-REF
TO COM ON INSUR.
- H. 921 ENLARGING CITY SCHOOL ADM. UNITS. S-PLACED ON CAL JUNE 24.
- H. 936 LEGISLATIVE FISCAL RESEARCH.(5/21) S-REPTD FAV AS AMENDED.
- H. 940 CURB SIDE VOTING-DISABLED.(6/11, 6/17) S-PLACED ON CAL JUNE
23.
- H. 948 HOSPITAL AUTHORITIES LAW REWRITE.(6/10, 6/17) S-REC FROM
HOUSE; S-REF TO COM ON PUB HLTH.
- H. 965 PRORATE INHERITANCE TAX EXEMPTION. S-PASSED 2ND & 3RD
READING.
- #H. 984 HANDICAPPED CHILDREN INSTRUCTION. RATIFIED CH. 645.
- H.1000 AUTO INSUR. CLASS. 260 PLAN. H-PLACED ON CAL JUNE 24.
- H.1007 CAMPUS VEHICLE REGISTRATION. S-REC FROM HOUSE; S-REF TO COM
ON ROADS.

- H.1008 LICENSING RENTAL VEHICLES. S-REC FROM HOUSE; S-REF TO COM ON ROADS.
- H.1042 DENTISTRY LAW REVISION.(6/04) S-PASSED 2ND READING.
- H.1043 DENTAL HYGIENE LAW REVISION.(6/04) S-PASSED 2ND READING.
- H.1044 HUSBAND-WIFE TRESPASS TESTIMONY.(6/18) S-PASSED 2ND & 3RD READING.
- H.1060 EVIDENCE IN BOAT ACCIDENT CASES.(6/04) S-PASSED 3RD READING.
- H.1087 NONRESIDENT TUITION INCREASE.(6/17) S-REC FROM HOUSE; S-REF TO COM ON HIGHR ED.
- H.1094 MUTUAL INSUR. CO. DIRECTORS. S-REC FROM HOUSE; S-REF TO COM ON INSUR.
- H.1095 MUTUAL INSUR. COMPANIES CAPITAL. S-REC FROM HOUSE; S-REF TO COM ON INSUR.
- H.1097 BEER,WINE,AND LIQUOR PERMITS. S-REC FROM HOUSE; S-REF TO COM ON ABC.
- #H.1154 SCHOOL BOARD HEARINGS. RATIFIED CH. 647.
- #H.1188 TRENT RIVER HUNTING. RATIFIED CH. 629.
- #H.1201 NO TAKING ALLIGATORS.(6/17) RATIFIED CH. 648.
- H.1221 6-12 MEMBER CIVIL JURY-CONST. AMD.. H-PASSED 2ND READING.
- H.1292 HAM VEHICLE LICENSES. H-PASSED 3RD READING.
- #H.1311 (J.RES.) HONORING WAKE CTY. WAKE FOREST ALUM. RATIFIED RES. 84.

LOCAL BILLS

- S. 397 (DAVIE) TAX LIEN SALES. S-REPTD FAV.
- S. 449 (GUILFORD) HIGH PT. POLICE PENSIONS. S-REPTD FAV.
- S. 507 (GUILFORD) CONDEMNATION PROCEDURES. H-PASSED 3RD READING.
- S. 637 (DAVIDSON) THOMASVILLE CITY ELECTIONS.(6/18) S-REC TO CONCUR IN H AMEND; S-PLACED ON CAL JUNE 22.
- S. 684 (HENDERSON) HENDERSONVILLE CHARTER. S-REPTD FAV AS AMENDED.
- #S. 702 (MECKLENBURG) MIXED DRINKS-ELECTION.(6/03, 6/16) RATIFIED CH.617.
- #S. 722 (GASTON) BESSEMER CITY-FIVE GALL. LIMIT. RATIFIED CH.618.
- S. 749 (HALIFAX) ROANOKE RAPIDS CITY LIMITS.(6/16, 6/21)
S-RECONSIDERED 3RD READING; S-FLOOR AMEND ADOPTED; S-PASSED 3RD READING.
- S. 795 (GUILFORD) HIGH POINT POLICE JURISDICTION. S-REPTD FAV.
- S. 798 (HAYWOOD) COUNTY AIRPORT AUTHORITY. S-REPTD FAV AS AMENDED.
- S. 804 (GUILFORD) HIGH POINT CIVIL SERVICE ACT. S-REPTD FAV.
- S. 809 (ROBESON) LUMBERTON SCHOOL BOUNDARIES. S-REPTD FAV.
- #H. 146 (CUMBERLAND) REPEALING ANNEXATION EXEMPTION.(6/15) RATIFIED CH. 620.
- H. 670 (CUMBERLAND) LOCAL GOV'T STUDY COMM'N.(6/10, 6/11) S-REPTD FAV.
- #H. 681 (MOORE) HUNTING FROM HIGHWAYS. RATIFIED CH. 621.
- #H. 899 (WASHINGTON) COUNTY GARBAGE FACILITIES.(5/24) RATIFIED CH. 622.
- #H. 955 (JOHNSTON) BENSON CHARTER REVISION.(6/04) RATIFIED CH. 623.
- #H. 969 (JOHNSTON) AIRPORT AUTHORITY. RATIFIED CH. 624.

- H. 970 (NASH) SALES AND USE TAXES.(6/18) H-PASSED 3RD READING.
H. 971 (EDGECOMBE) SALES AND USE TAXES.(6/18) H-PASSED 3RD READING.
#H. 972 (ORANGE) JOINT TRANSPORTATION COMMISSION.(5/31) RATIFIED CH. 625.
#H.1005 (PAMLICO) INCORPORATING MESIC.(5/31) RATIFIED CH. 626.
#H.1053 (CLEVELAND, POLK, RUTHERFORD) LEGALIZED BINGO.(6/15) RATIFIED CH. 627.
H.1059 (ROWAN) TAXATION OF MINERAL INTERESTS. H-PASSED 2ND READING.
#H.1093 (GATES) GATESVILLE TOWN LIMITS. RATIFIED CH. 628.
H.1104 (CATAWBA) HICKORY ANNEXATION.(6/18) H-PASSED 3RD READING.
#H.1114 (ONslow) BOARD OF EDUCATION REALTY SALE. RATIFIED CH. 646.
H.1140 (DUPLIN) WALLACE CONTRACT BID LIMITS.(6/17) H-PASSED 3RD READING.
H.1148 (CUMBERLAND) FAYETTEVILLE FIREMEN'S FUND. S-REPTD FAV.
H.1149 (WAKE) KNIGHTDALE POLICE FIRE POWERS. S-REPTD FAV.
H.1153 (ROCKINGHAM) SCHOOL MERGER ELECTION. S-REPTD FAV.
H.1159 (PITT) FARMVILLE CHARTER.(6/11) S-REPTD FAV.
H.1161 (MECKLENBURG) CHARLOTTE AIR RIGHTS OVER STREETS. S-REPTD FAV.
H.1162 (IREDELL) STATESVILLE REALTY, UTILITIES SALE. S-REPTD FAV.
H.1186 (CATAWBA) TAX COLLECTOR. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
H.1195 (MOORE) INCORPORATE WEST END.(6/21) H-COM AMEND ADOPTED; H-PASSED 2ND READING.
H.1202 (ASHE) PAVING GARBAGE DUMP ROAD. S-REPTD FAV.
H.1203 (ROBESON) MAXTON CHARTER.(6/18) H-PASSED 3RD READING.
H.1216 (AVERY) COUNTY COMM'RS-OFFICE TERMS. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
H.1225 (TYRRELL) CUSSING ON HIGHWAYS.(6/21, 6/21) H-COM AMEND ADOPTED; H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
H.1238 (FORSYTH) BEER SALES AND CONSUMPTION. S-REC FROM HOUSE; S-REF TO COM ON ABC.
H.1240 (GRANVILLE) STOVALL BONDS. H-PASSED 3RD READING.
H.1242 (ROWAN) CITY, COUNTY ZONING.(6/18) H-PASSED 3RD READING.
H.1251 (EDGECOMBE) PRINCEVILLE ANNEXATION.(6/18) H-PASSED 3RD READING.
H.1252 (MITCHELL) TAX LISTING BY MAIL. H-PASSED 3RD READING.
H.1253 (MITCHELL) ACCOUNTANT & TAX SUPERVISOR.(6/18) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
H.1254 (AVERY) ELECTION BOARD TERMS, SELECTION. S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
H.1265 (HAYWOOD) COUNTY AIRPORT AUTHORITY.(6/18) H-PASSED 3RD READING.
H.1277 (YADKIN) SHERIFF'S DEPUTIES-REGULATION. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
H.1283 (UNION) MONROE ELECTION PROCEDURE. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
H.1284 (UNION) MONROE SCHOOL BOUNDARIES. H-PASSED 3RD READING.
H.1289 (GUILFORD) HIGH POINT CIVIL SERVICE ACT. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

Next Session of House: 11:30 a.m., Tuesday, June 22, 1971.

Next Session of Senate: 11:45 a.m., Tuesday, June 22, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
P. O. BOX 7294, RALEIGH, N. C.
27611 TEL. 755-3355
829-7677

BULLETIN NO. 115

-1077-

TUESDAY, JUNE 22, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 839 Licensing Livestock Dealers-2 (Iden. H 1318) GS 106
Introducer: White Sent to FINANCE

"To provide for the licensing by the Department of Agriculture of livestock dealers." Identical to H 1318 digested in Bulletin No. 112, p. 1037.

S 840 (Joint Resolution) Gen'l Assembly secretarial services (Iden. H 1355) APPROPRIATION
Introducer: Alley and others Sent to APPROPN

"A joint resolution relating to secretarial services to members of the General Assembly." Directs Legislative Services Commission to provide a secretary for each member of the General Assembly during the 1973 regular session. Directs Joint Appropriations Committees to increase proposed budget for General Assembly for 1972-73 fiscal year by \$202,674 to cover secretarial salaries and supplies.

S 841 ECU Art Building funds (Iden. H 1369) APPROPRIATION
Introducers: White and Allsbrook Sent to APPROPN

"To appropriate funds for the construction of a School of Art Building at East Carolina University." As title indicates appropriates \$3,740,000 from General Fund. Effective July 1, 1971.

S 842 Community drug abuse programs-2 APPROPRIATION
Introducer: Larkins Sent to APPROPN

"To authorize the State Department of Mental Health to establish community-based programs for the treatment and prevention of drug abuse." Authorizes and directs Comm'r of Mental Health to select areas for the establishment of community-based drug abuse programs, such programs to be operated by local mental health authorities. Appropriates from General Fund \$500,000 for 1971-73 to Dep't of Mental Health for local programs, such funds to be expended on a matching basis of one State dollar to one local dollar for the approved drug abuse program. No State funds to be spent until local mental health authority provides necessary matching funds. Effective July 1, 1971.

S 844 Conforming G.S. Ch. 23 with G.S. Ch. 7A GS 23
Introducer: Bailey Sent to COURTS

"To amend various sections of General Statutes Chapter 23 to conform to the structural and organizational provisions of the General Court of Justice as set forth in Chapter 7A." As title indicates, makes certain technical language changes. Effective



Oct. 1, 1971.

S 845 Sewage treatment matching funds
Introducer: McGeachy

APPROPRIATION
Sent to APPROPN

"To appropriate funds for matching federal grants for sewage treatment works."
As title indicates, appropriates from General Fund, \$5,000,000 for 1971-2 to Bd. of Water and Air Res. Effective July 1, 1971.

S 846 (Joint Resolution) UNC trustee election
procedure (Iden. H 1365)
Introducer: Patterson

GS 116,120
Sent to RULES

"Relating to procedures to govern the election of trustees of the University of North Carolina by the 1971 General Assembly." Sets out rules to govern Joint Session of 1971 General Assembly for election of Trustees of the University of North Carolina. Provides for reports of Joint Committees on University Trustees, followed by election of University Trustees. Provides for nominations from floor as well as nominations in report of Joint Committees. Permits any member to vote for up to 29 persons among all nominated. Provides for announcement of election of 29 persons as Trustees at point in tabulation when said 29 nominees have received majority of total votes cast.

HOUSE

H 1355 (Joint Resolution) Gen'l Assembly secretarial
services (Iden. S 840)
Introducers: Mason and others

Sent to APPROPRIATION
Sent to APPROPN

"Relating to secretarial services to members of the General Assembly." Identical with S 840, digested in Senate section of today's Bulletin.

H 1356 School Superinten'ts qualifications
Introducers: Haynes and others

GS 115
Sent to EDUCATN

"To amend G.S. 115-39, relating to the qualifications of superintendents of city or county school administrative units." Deletes proviso to G.S. 115-39 which specifies that requirement of superintendent's certificate is not applicable to persons now serving as superintendents. Effective July 1, 1973.

H 1357 Change of venue motions
Introducers: Davis and McKnight

GS 1A
Sent to JUDIC 1

"To provide for responsive pleadings after motions for change of venue." Amends GS 1A-1, Rule 12(a)(1)a to require that responsive pleading shall be served within 20 days after notice of court's action in ruling on motion or postponing its disposition until trial on the merits.

H 1359 Canned dog food law
Introducer: Speed

GS 106
Sent to AGRICULT

"Rewriting G.S. 106-146 relating to labeling requirements of canned dog food."
Rewrites GS 106-146 to add requirement label contain guaranteed analysis stated in such terms as Bd. of Ag. by regulation requires to advise user of composition of dog food to support claims made in labeling. Requires substances or elements be determinable by laboratory methods as published by Assoc. of Official Analytical Chemists. Effective Sept. 1, 1971.

H 1360 Supplemental appropriations limit
Introducers: Tart and others

APPROPRIATION
Sent to ST GOVT

"To limit the supplemental appropriations requested of the Joint Appropriations Committee." Limits requests to 10% of sums approved by Advisory Budget Comm'n in "A" and "B" budgets for inclusion in biennial current operations and maintenance appropriations bill for department, institution, agency or other unit. Effective July 1, 1971.

H 1361 Uniform Motor Veh. Insur. Act.
Introducers: Taylor and Hege

GS 20, 58
Sent to INSUR

"To adopt the Uniform Motor Vehicle Insurance Act." Provides that motor vehicles operated in state must be insured under policy of insurance which provides net economic loss benefits for injury and death without regard to fault to any persons, including the owner, operator or user of an insured vehicle. Payment for loss not to be made to occupants of another motor vehicle, or to operator while committing a crime. Payments to be made as loss is incurred; in case of death, payments to be immediate, and to draw 2% interest per month if unpaid. Net economic loss defined to include all expenses for medical, etc., and rehabilitative services, 85% of loss of earnings or \$1,000, whichever is less, for not more than 30 months (\$30,000 maximum, in case of death), and all reasonable expenses necessarily incurred as a result of injury, minus benefits received under private or public insurance plans, life insurance, death-succession payments, gratuities, and payments in discharge of obligations of support. Insurance coverage as described herein compulsory, but requirement of coverage can be satisfied by providing a surety bond, proof of qualification as a self-insurer, or actual securities approved by the Commissioner of Insurance.

No owner, operator or user of an insured vehicle is liable for tort damages of any nature caused by bodily injuries arising out of negligent operation of vehicle except in cases of catastrophic harm, in which cases recovery can exceed economic loss, and include other elements of damage. "Catastrophic harm" defined to include permanent and total disability (including death from injury) or permanent and partial disability of 70% or more, including disfigurement that is permanent, severe and irreparable.

If motor vehicle is larger than an ordinary passenger automobile (10 or more passengers), insurer of the larger vehicle is responsible for a percentage (to be set by Comm'r of Insur.) of any net economic loss paid to occupants involved in an accident. Comm'r of Insur. to classify motor vehicles larger than passenger vehicles into reasonable categories, and assign to each category a percentage of responsibility for net economic loss sustained by occupants of other vehicles.

Insurer must offer optional catastrophic harm insurance, to limit of \$50,000 for any one person and \$300,000 for all persons in any one accident. Insurer may not reject proper application for insurance, and may not cancel or refuse to renew policy except for suspension or revocation of license, or failure to pay premium, after notice is given in each case.

Comm'r of Insur. to promulgate common, uniform statistical plan for allocation and compilation of claims and loss experience data, and to require submission of statistical data from insurers.

Court may award person suing insurer under this Act reasonable attorney's fees and costs if insurer's denial of claim was fraudulent or arbitrary. If claim fraudulent or without reasonable foundation, court may also award reasonable attorney's fee and costs to insurer. Effective one year after ratification, except sections on exemption from tort liability (except in cases of catastrophic harm) and section on compulsory coverage effective 18 months after ratification.

H 1363 No fault auto liab. comp.
Introducers: Taylor and Hege

GS 20, 58
Sent to INSUR

"Providing a means of promptly and equitably compensating persons for accidental bodily injury and property damage arising from the ownership, operation, maintenance or use of motor vehicles, in lieu of tort liability." Establishes no fault liability system with following main provisions: (1) requires owner or registrant of motor vehicle to maintain security by means of insurance policy or other method approved by registrar of motor vehicles continuously throughout registration period; (2) specifies security required for payment of benefits under personal protection insurance, property protection insurance and residual liability insurance and failure to maintain such security constitutes misdemeanor punishable by revocation of registration and \$100-\$500 fine and/or maximum jail term of one year; (3) requires insurer under personal protection insurance liable to pay benefits for accidental bodily injury arising out of ownership, operation maintenance, or use of motor vehicle without regard to fault (specifies bodily injury accidental unless suffered intentionally by injured person or caused intentionally by claimant, and excludes injury from parked vehicles except in specific exceptions); (4) provides personal protection insurance benefits are payable for (a) reasonable charges incurred for reasonably necessary products, services, and accommodations for injured person's care, recovery or rehabilitation, but shall not include charges for hospital room in excess of reasonable and customary charge for semi-private room unless intensive care required, and shall not include burial and funeral charges in excess of \$1000, (b) work loss payments as defined in act, not to exceed \$750 per 30 day period, (c) survivor's loss not to exceed \$750 per 30 day period nor to exceed normal life expectancy of deceased, (specifies who may qualify as dependent) and (d) provides for subtraction of benefits paid under social security from above personal protection payments, and (e) provides payments accrue not when injury occurs but as allowable expense, work loss or survivor's loss is incurred; (5) provides for coverage of out of State injuries; (6) exempts persons from personal protection benefits if injury occurs while person using motor vehicle he had taken unlawfully, security not in effect for such vehicle involved in accident, person not resident of State and not occupant of vehicle registered in State; (7) makes policies apply to accidental bodily injury to person named in such policy, his spouse, and any relative domiciled in same household and establishes special coverage for public passenger vehicles and vehicles furnished by employers; (8) establishes claim priority for individuals suffering injury while not occupant of motor vehicle, first against insurer of owner or registrant of auto involved in accident, then against insurer of operator of auto involved in accident; (9) sets forth procedure for recoupment and distribution of loss when two insurers in same order of priority; (10) permits subtraction from personal protection benefits to extent of any net tort claim recovery; (11) makes payment by personal protection insurer operate to extent of such payments any person, organization, insurer or governmental agency to indemnify against such loss under workmen's comp., unemployment comp. disability benefits, etc.; (12) sets up property protection insurance benefits for accidental damage to tangible property arising out of auto accidents not based on fault. Defines damage to tangible property, limited to \$1,000,000 damage to all property arising from one accident. Excludes damage to motor vehicles and their contents, property owned by person named in property protection insurance policy and family, damage arising from out of State accidents; establishes priority for property protection claims; (13) establishes system of residual liability insurance to cover bodily injury and property damage occurring outside State; (14) specifies procedure for making claims to insurer, for payment of benefits by insurer, for lump-sum settlements, for one year limitation on commencement of actions under article for judgments on such actions, specifying limitations on actions for new judgments under article, for attorney's fees, for directing physical or mental examination, of injured persons including discovery rights, reports and sanctions for refusing to submit to such examinations; (15) permits rehabilitative treatment or occupational training may be required of injured persons and provides sanctions if individual refuses to accept such treatment; (16) authorizes every insurer licensed to write motor vehicle insurance in State to offer personal and property insurance and residual liability insurance described in act. Effective July 1, 1971.

H 1364 Compulsory pers. inj. insurance
Introducers: Taylor and Hege

GS 20, 58
Sent to INSUR

"Providing for compulsory personal injury protection for all registered motor vehicles, defining such protection, restricting the right to claim damages for pain and suffering in certain actions of tort, regulating further the premium charges for compulsory automobile insurance, and amending certain laws relating thereto." Defines "personal injury protection" (minimum amount to be \$2,000) and requires all motor vehicle liability policies or bonds issued in NC provide such benefits except to extent such defined benefits are reduced or eliminated by deductible as authorized by act. Requires that personal injury protection claim be submitted within two years of date of accident, and that claimant submit to physical examinations by physicians selected by insurer as often as may be reasonably required. Provides for payment of personal injury protection benefits as loss accrues or by lump sum settlement, and that party may institute action in contract when due benefits are unpaid after 30 days. Provides for insurer's subrogation to rights of party to extent insurer pays party personal injury protection benefits. In tort action arising out of motor vehicle accident, bars recovery for pain and suffering unless medical expenses incurred in treatment of injury exceed \$500 (with specified exceptions). Requires Comm'r of Insurance on or before Jan. 1, 1972 establish same classifications of risks and premium charges at least 15% lower for each classification. Provides for schedule of surcharges for each conviction of moving vehicle violation, and for discounts for accident-free driving over specified period. Requires automatic renewal of auto insurance policy except in cases of fraud, conviction for unlawful use of drugs, driving under influence of liquor, or nonpayment of premiums. Requires company issuing liability policy offer additional coverage to specified minimum maximums.

H 1365 (Joint Resolution) UNC trustee election procedure
(Iden. S 846)
Introducers: Andrews and S. Johnson

GS 116, 120
Passed three readings and
sent to Senate

"Relating to procedures to govern the election of trustees of the University of North Carolina by the 1971 General Assembly." Identical with S 846 digested in Senate section of today's Bulletin.

H 1366 (House Res.) House Calendar Committee
Introducer: Andrews

MISC RES
Adopted in House

"Authorizing the Speaker of the House to appoint a Calendar Committee to consider bills referred to that committee." As title indicates.

H 1368 Residential speed limit
Introducer: Davis

GS 20
Sent to HY SAFTY

"To reduce the speed limit in residential areas from thirty-five to thirty miles per hour." Amends GS 20-141(b)(2) as title indicates. Effective January 1, 1972.

H 1369 ECU Art Building funds (Iden. S 841)
Introducers: Bundy and H. Rountree

APPROPRIATION
Sent to APPROPN

"To appropriate funds for the construction of a School of Art Building at East Carolina University." Identical with S 841 digested in Senate section of today's Bulletin.

H 1370 Sedimentation pollution control fund
Introducer: R. Brown

GS 143
Sent to APPROPRN

"To appropriate Funds to the North Carolina Board of Water and Air Resources to Implement the Sedimentation Pollution Control Act." Appropriates from General Fund to Bd. of Water and Air Resources, for 1971-73, in addition to all other appropriations, the sum of \$131,711 for the purpose of implementing the Sedimentation Pollution Control Act. Effective July 1, 1971.

H 1371 Dep't of Pub. Inst. Environ. funds
Introducer: Bryan

APPROPRIATION, GS 115
Sent to APPROPRN

"To appropriate an additional sum to the Department of Public Instruction." Appropriates to State Dep't of Public Instruction \$31,561 for 1971-73 (\$16,022 for 1971-72 and \$15,539 for 1972-73) to be expended for employment by Dep't of an environmental specialist. Effective July 1, 1971.

H 1372 Initiative & Ref.-Const. Amend.
Introducer: McDaniel

CONSTITUTION
Sent to CONSTUTN

"To amend the North Carolina Constitution to authorize a statewide election for the repeal of laws and for the enactment of laws." Adds to Article II of Constitution (which becomes effective July 1, 1971), a new section (Initiative and Referendum) which provides that the people may initiate a referendum for the repeal of [any] general law, or for enactment of any general law by petition. Any qualified voter may present petition to State Bd. of Elections; petition must contain signatures of 15% of qualified voters of State based on last election for Governor. Form of petition set out. Petition must be filed with State Board at least six months prior to next general election. State Bd. to formulate issues to be printed on ballot. If majority vote for issue, change in law becomes effective upon certification of election results. Amendment to be submitted to people at next general election. Form of ballot specified. Effective on ratification, but no date specified for effectiveness of amendment.

H 1373 Amending garnishment law
Introducer: J. M. Johnson

GS 1
Sent to JUDIC 2

"To allow a debtor's earnings to be applied towards the satisfaction of a judgment." Adds new GS 1-362.1, -362.2 and -362.3 to provide: (1) 10% of debtor's weekly disposable earnings or amount by which debtor's weekly disposable earnings exceed 30 times federal minimum hourly wage prescribed by 29 U.S.C. Sec. 206(a)(1) may be ordered in court discretion to be applied towards satisfaction of judgment when judgment is for balance due upon necessary food, fuel, rent or shelter, hospital and other medical expenses, supplied by judgment creditor to debtor or to one or more of debtor's lawful dependents; (2) permit earnings of employees of State and its subdivisions to be subject to satisfaction of judgment rendered against employee under supplemental proceeding or garnishment and provides process be served upon head or chief officer of department, agency, or institution by which debtor is employed; (3) prohibits employer from discharging any employee by reason of fact his earnings have been subjected to garnishment or applied towards satisfaction of judgment and violation of above punishable by \$1000 and/or one year.

H 1374 Dissolving district health dep'ts.
Introducer: Chase

GS 130
Sent to HEALTH

"To provide a procedure for the dissolution of a district health department." Adds new GS 130-14.1 to Ch. 130, providing that boards of county commissioners, by majority vote, may dissolve a district (multi-county) health department when they determine that the district department is not operating in the best health interests of

the residents of the respective counties. Counties comprising dissolved district may operate county health departments. Single county may withdraw from district under like circumstances. Dissolution or withdrawal to take place only at end of fiscal year. Budgetary surpluses in a district health department affected by dissolution or withdrawal to be distributed pro rata, in accordance with contributions.

H 1375 Interstate support
Introducer: Twiggs by request

GS 52A
Sent to JUDIC 2

"To rewrite Chapter 52A of the General Statutes entitled 'Uniform Reciprocal Enforcement of Support Act'." Rewrites GS Ch. 52A to adopt Uniform Reciprocal Enforcement of Support Act. Sets forth key definitions and establishes following provisions: (1) duties of support under GS 52A-8 bind obligor present in State regardless of presence or residence of obligee; (2) Governor of NC may demand from governor of any other state surrender of person found therein who is charged in NC with crime of failing to provide for support of any person in NC and vice versa for person in this state obligated to pay in another state; (3) sets forth conditions upon which interstate rendition is authorized; (4) prescribes applicable duties of support on obligor; (5) permits county furnishing support to an obligee same rights against obligor as obligee for securing reimbursement; (6) establishes procedure if lack of paternity defense made by obligor as reason for non-support; (7) prescribes uniform contents for complaint of support, jurisdiction requirements, including right to arrest obligor if court feels obligor may flee, representation of obligee in proceedings by official who prosecutes criminal actions for State in court exercising jurisdiction, duties of any initiating court, fees and costs for proceeding; (8) also prescribes duty of court of this State when acting as responding state receiving complaint from initiating court in another state; (9) establishes rules of evidence used in support cases, conditions under which support proceedings may and may not be stayed, application of interstate support orders; (10) designates St. Dep't of Social Services as State information agency under act and specifies information it must maintain pursuant to act; (11) establishes procedure for registration of foreign support orders and provides upon registration order shall be treated same as order issued by court in State. Effective July 1, 1971.

H 1377 Local brown bag license tax
Introducer: Hege

GS 18
Sent to ABC

"To authorize counties, cities and towns in the exercise of their police power to levy a license tax not in excess of the State license tax for brown bagging privilege." Adds to G. S. 18-51 a new subsection authorizing counties, cities and towns to levy a license tax on possession and consumption of alcoholic beverages, at a rate not to exceed the tax imposed by the state. Effective Jan. 1, 1972.

H 1378 Taxation of accts. receivable
Introducer: Stevens

GS 105
Sent to FINANCE

"To amend G.S. 105-201 relating to intangibles tax liability of accounts receivable." Adds new paragraph to GS 105-201 ("Accounts receivable") providing indebtedness incurred by securities brokers for purchase of stocks, bonds, debentures or options may be deducted from value of accounts receivable. Effective July 1, 1971.

H 1379 Peak Creek Road right-of-way GS 106, 136
Introducers: Collins and Lawing Sent to ROADS

"To require the North Carolina Department of Agriculture to allocate right-of-way for a certain road in Ashe County, and to require the State Highway Commission to accept the right-of-way and maintain the road." As title indicates directs Ag. Dep't to allocate to Highway Comm'n Old Peak Creek Road.

LOCAL BILLS INTRODUCED

SENATE

S 843 Lenoir Elections CALDWELL
Introducer: Flaherty Sent to LOC GOVT

"To amend the Charter of the City of Lenoir Relating to Elections." Amends city charter to change terms of members of city council from two to four years, to provide that in a primary election for city councilmen, the number of candidates equal to twice the number of seats to be filled (now, 14) shall be declared nominated, to eliminate reference to municipal election on the first Tuesday after the first Monday in May, and to eliminate references to election of a mayor and to two year terms for councilmen.

HOUSE

H 1358 Casar lives again CLEVELAND
Introducer: Falls Sent to LOC GOVT

"To reactivate the Town of Casar in Cleveland County." Reactivates Ch. 359, Private Laws of 1903, as title indicates. Provides Town Council to be composed of Fay R. Melton, Mayor; and Marion W. Benfield, Tommy G. Turner, and Tilford R. Short, Commissioners.

H 1361 Amend Chapter 279, 1971 SL MOORE
Introducer: Auman Sent to LOC GOVT

"To correct an error in Chapter 279 of 1971 Session Laws." Corrects error in Sec. 3, Ch. 279, 1971 SL requiring notice at least once a week for three successive weeks, (originally required for at least ten days).

H 1367 Sales tax referendum FORSYTH
Introducers: Davis, F. Farmer, Jemison, Sent to FINANCE
McDaniel and McKnight

"To amend the 1971 Session Laws to authorize a sales tax referendum to be held in Forsyth County prior to the adoption of the 1971-72 fiscal year budgets of the County of Forsyth and the City of Winston-Salem." Amends GS 105-465 to permit voting on local option sales and use tax by all voters registered no later than 7 days (including Saturdays and Sundays) prior to election (now, 21 days excluding Saturdays and Sundays). Permits 10 days notice (now, 20) by county board of elections prior to closing of registration books. Amends GS 160-51 ("Notice of special election") to require 10 (now, 30) days notice prior to holding of special election. Makes act applicable only to Forsyth County with respect to tax referendum to be held prior to Sept. 1, 1971.

H 1376 County tax collector
Introducer: Brown

STANLY
Sent to LOC GOVT

"To repeal a public-local law relating to the office of Tax Collector in Stanly County." Repeals Ch. 486, 1937 SL establishing and regulating office of tax collector. Effective July 1, 1971.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 451 Sanitation of farm labor camps (digested in Bulletin No. 69, p. 535)

Committee Substitute adopted in Senate 6/22/71 makes following changes:

(1) adds provision specifying duties of camp occupants and crew leaders to use and maintain in sanitary manner facilities provided; (2) clarifies definition of well cleared area in which camp must be located; (3) requires heating equipment if temperatures fall below 60 degrees (originally 68 degrees); (4) adds provision authorizing inspectors to apply accepted public health practices and procedures in enforcing article, including application of relevant standards contained in State Bd. Health bulletins and regulations and in federal rules relating to housing for agricultural workers.

S 502 Amending Anatomical Gift Act (digested in Bulletin No. 76, p. 609)

Amendment adopted in Senate provides that enucleation of the eyes by a certified embalmer may be performed when permission has been granted by the next of kin.

S 657 Building code clarification (digested in Bulletin No. 93, p. 795; Senate amendment digested in Bulletin No. 113, p. 1053)

Amendment adopted in Senate 6/22/71 provides act shall not apply to any type of farm building and makes effective date Jan. 1, 1972 (originally, upon ratification).

S 684 Hendersonville Charter (digested in Bulletin No. 95, p. 830)

Amendment adopted in Senate 6/22/71 makes numerous minor and technical amendments and adds new section designating city manager chief administrator of City, with power of appointment and removal of City employees, and with sole authority to deal with administrative service.

S 798 County airport authority (digested in Bulletin No. 110, p. 1007)

Amendment adopted in Senate 6/22/71 makes technical correction.

HOUSE BILLS

H 59 Uniform municipal elections law (digested in Bulletin No. 7, p. 41; Committee Substitute digested in Bulletin No. 113, p. 1053)

Committee Substitute No. 2 adopted in House 6/22/71 changes title of bill to correspond to title of original bill.

H 119 New industry environmental impact (digested in Bulletin No. 14, p. 90)

Committee Substitute adopted in House eliminates references to Chapter 113 and Board of Water and Air Resources. Adds new G. S. 113-15.2 to provide that Dept. of Conservation and Development, in promoting industry, to conduct evaluation of effects on State's natural and economic environment of any new or expanding industry locating in State. Director of C&D may hire persons to conduct investigations and evaluations of new and expanding industry and to prepare reports outlining impact of such industry on environment.

- H 169 Machinery Act of 1971 (digested in Bulletin No. 20, p. 129; Committee Substitute digested in Bulletin No. 111, p. 1023)
Amendment adopted in House 6/22/71 deletes provisions exempting bill and hold goods from property tax.
- H 468 Regulating subdivision sales (digested in Bulletin No. 47, p. 339)
Amendment adopted in Senate 6/22/71 makes act applicable only to Guilford County.
- H 630 Mass gatherings-regulations (digested in Bulletin No. 62, p. 465; H Committee Substitute digested in Bulletin No. 103, p. 928; House amendment digested in Bulletin No. 107, p. 974)
Amendment adopted in Senate 6/22/71 alters title to delete specific reference to rock festivals.
- H 706 Visual environment controls (Iden. S 428; digested in Bulletin No. 66, p. 506; H Committee Substitute digested in Bulletin No. 111, p. 1023)
Senate Committee Substitute adopted 6/22/71 is identical with House Committee Substitute except for title.
- H 936 Legislative fiscal research (digested in Bulletin No. 86, p. 723)
Amendments adopted in House 6/22/71 delete exemption of Fiscal Research Division from provisions of the State Purchasing Act, and add new section G.S. 143-34.3 to Chapter 143 providing that legislative fiscal research staff members may attend all meetings of the Advisory Budget Commission and all hearings conducted by or for the Comm'n, and may accompany Comm'n to inspect the facilities of the State. Legislative Services Officer to be provided copies of all reports, and other informational material distributed to the Commission.
- H 961 Taxable income-Const. amendment (digested in Bulletin No. 87, p. 738)
Committee Substitute adopted in House 6/22/71 sets out in greater detail manner in which Constitutional amendment proposition shall be submitted to voters.

SENATE AND HOUSE

CALENDAR ACTION

JUN. 22, 1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 49 SERVICE OF PROCESS ON SHERIFF.(2/01, 3/30) S-PASSED 2ND & 3RD READING.
S. 277 LEGIS. RETIREMENT CONTRIBUTION.(5/19) H-REPTD FAV AS AMENDED.
S. 287 DRUG VEHICLE FORFEITURE.(6/21) S-PLACED ON CAL JUNE 23.
S. 445 NC PESTICIDE LAW OF 1971.(6/16) S-PASSED 2ND READING.
S. 451 SANITATION OF FARM LABOR CAMPS.(6/22) S-REP FAV COM SUB AS AMEND; S-COM SUBSTITUTE ADOPTED.
S. 490 ABOLISHING GOV'TAL. IMMUNITY.(6/15) S-REPTD FAV AS AMENDED.
S. 502 AMENDING ANATOMICAL GIFT ACT.(6/22) S-COM AMEND ADOPTED; S-PASSED 3RD READING.
S. 516 UNIV. STUDENT PUBL. FEES. S-PLACED ON CAL JUNE 24.
S. 538 NC MEM. HOSP. DIRECTORS.(6/16) S-REC FROM HOUSE; S-REF TO COM ON HIGHR ED.
#S. 544 NO BEDROOM VISITATION. S-REPTD UNFAV.
S. 579 TRANSFER OF RECORDED SOUNDS. H-REPTD FAV AS AMENDED.
S. 583 AMENDING NON-PROFIT CORP. ACT. S-REPTD FAV AS AMENDED.
#S. 588 GAS STATION ATTENDANTS REQUIRED. S-REPTD UNFAV.
S. 591 FINING WCU TRAFFIC OFFENDERS. H-REPTD FAV.
#S. 593 (J.RES.) ASKING CONGRESS TO END DRAFT. S-REPTD UNFAV.
S. 598 CORPORATION ACT AMENDMENTS. S-REPTD FAV AS AMENDED.
S. 604 PUNISHMENT-DRIVING UNDER INFLUENCE. S-PLACED ON CAL JUNE 23.
S. 622 STUDY COMM'N, UNC UTILITIES.(6/01) H-REPTD FAV.
S. 643 MILK COMM'N LAW REWRITE. S-RE-REF COM ON FINANCE.
S. 656 OFF-SITE COMPONENTS APPROVAL. H-REPTD FAV.
S. 657 BUILDING CODE CLARIFICATION.(6/18, 6/22) S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
S. 668 HIGHWAY CONST. CONTRACTS AND BONDS. S-REPTD FAV AS AMENDED.
S. 674 OCCUPATIONAL DEAFNESS, COMP.. S-REPTD FAV AS AMENDED.
S. 675 DENTISTRY LAW REVISION. S-RECALLED FROM COM; S-RE-REF COM ON FINANCE.
S. 676 DENTAL HYGIENE LAW REVISION. S-RECALLED FROM COM; S-RE-REF COM ON FINANCE.
S. 688 ESTABLISHMENT OF CARTWAYS. S-REPTD FAV.
S. 719 INTERSTATE FIRE FIGHTING COMPACT.(6/18) H-REC FROM SENATE; H-REF TO COM ON CONS&DEV.
S. 734 REVISE PRIVATE DETECTIVE LAW. S-REPTD FAV.
S. 748 LICENSE AUTO DAMAGE APPRAISERS. S-REPTD FAV.
S. 772 POSTAL SAVINGS ESCHEAT. H-REC FROM SENATE; H-REF TO COM ON FINANCE.

- S. 776 LOCATING ELEVATOR WIRING DIAGRAMS. S-REPTD FAV.
- S. 786 PERMIT FEES FOR PEN-RAISED QUAIL. S-PASSED 3RD READING.
- S. 803 PRINTING OF SESSION LAWS. S-PASSED 2ND & 3RD READING.
- S. 806 INVENTORY TAX EXEMPTION. S-REPTD FAV; S-RE-REF COM ON FINANCE.
- S. 807 GAS STATION ATTENDANTS REQUIRED-2. S-REPTD FAV.
- S. 810 (J.RES.) THANKING MR. AND MRS. HUGHES. S-PASSED 2ND & 3RD READING.
- S. 819 LEGIS. BLDG. GOV. COMM'N. S-PASSED 2ND READING.
- S. 824 AMEND SL 1971, CH. 338-FAC. RETIRE. S-REPTD FAV AS AMENDED.
- S. 829 COMPULSORY WORKMEN'S COMP. LAW. S-REPTD FAV.
- S. 836 APPEALS FROM LUD'L COMM'N. S-REPTD FAV.
- #H. 3 LEGISLATOR FINANCES & ETHICS. H-REPTD UNFAV.
- H. 59 UNIFORM MUNICIPAL ELECTION LAWS.(6/18, 6/22) H-REPTD FAV COM SUB #2; H-COM SUB #2 ADOPTED.
- H. 93 SECURE LOADS ON TRUCKS.(3/09, 3/11, 6/17) H-REC TO CONCUR COM SUB; H-REF TO COM ON HY SAFTY.
- H. 119 NEW INDUSTRY ENVIRONMENTAL IMPACT.(6/22) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 153 MUNICIPAL LAW REVISION.(6/04) S-REPTD FAV AS AMENDED.
- H. 155 NUISANCES-PUBLIC MORALS.(4/22, 4/27, 5/25, 5/26, 6/18) H-CONCURRED IN S AMEND.
- H. 169 MACHINERY ACT OF 1971.(6/16, 6/22) H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING.
- #H. 237 LEGISLATIVE ELECTRONIC VOTING.(6/18) RATIFIED RES. 87.
- #H. 311 BAIL BOND DEPOSIT-10%. H-REPTD UNFAV.
- #H. 435 REJECTION OF SURETY BONDS. H-REPTD UNFAV.
- H. 468 REGULATING SUBDIVISION SALES.(6/22) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- H. 610 LOCAL GOVERNMENT FINANCE ACT.(6/15, 6/21) H-PASSED 3RD READING.
- H. 630 MASS GATHERINGS-REGULATION.(6/04, 6/10, 6/22) S-COM AMEND ADOPTED; S-PLACED ON CAL JUNE 23.
- #H. 654 (J.RES.) POW'S DAY OF PRAYER. S-POSTPONED INDEF.
- H. 687 REPEALING CHARTERS-INACTIVE TOWNS.(5/26, 5/26, 6/02) S-REPTD FAV AS AMENDED.
- #H. 698 BURIAL ASSOC.-12 ASSESSMENTS. RATIFIED CH. 650.
- H. 701 TAXATION OF BANKS-2.(5/19) H-PASSED 3RD READING.
- H. 706 VISUAL ENVIRONMENT CONTROLS.(6/16, 6/22) H-REPTD FAV COM SUB #2; H-COM SUB #2 ADOPTED.
- #H. 739 OPEN SPACE LAND PROCEDURES. H-REPTD UNFAV.
- H. 845 RECORDED INSTRUMENTS, QUALITY. S-PASSED 2ND & 3RD READING.
- H. 846 RETURN OF RECORDED MAPS.(6/01) S-PASSED 2ND & 3RD READING.
- #H. 872 DIVORCE ON AFFIDAVIT. H-REPTD UNFAV.
- H. 892 DEFACING HIGHWAY SIGNS.(6/10) S-REPTD FAV.
- H. 900 LEG'VE APPROVAL NON-SPA SALARIES.(5/26, 6/01, 6/21) S-PLACED ON CAL JUNE 29.
- #H. 927 BARBER HEALTH CERTIFICATES. H-REPTD UNFAV.
- H. 928 TRANSFER OF RECORDED SOUNDS. H-REPTD FAV AS AMENDED.

- H. 936 LEGISLATIVE FISCAL RESEARCH.(5/21, 6/22) S-COM AMENDS ADOPTED; S-PASSED 2ND & 3RD READING; H-REC TO CONCUR S AMENDS; H-CONCURRED IN S AMENDS.
- H. 942 EMPLOYMENT SECURITY LAW CHANGES.(5/21, 5/24, 6/18) S-PASSED 2ND READING.
- H. 961 TAXABLE INCOME-CONST. AMENDMENT.(6/22) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- #H. 965 PRORATE INHERITANCE TAX EXEMPTION. RATIFIED CH. 651.
- H. 978 PLUMBING-HEATING CONTRACTORS. S-REPTD FAV AS AMENDED.
- H.1042 DENTISTRY LAW REVISION.(6/04) S-PLACED ON CAL JUNE 24.
- H.1043 DENTAL HYGIENE LAW REVISION.(6/04) S-PLACED ON CAL JUNE 24.
- H.1044 HUSBAND-WIFE TRESPASS TESTIMONY.(6/18) H-REC TO CONCUR COM SUB.
- #H.1060 EVIDENCE IN BOAT ACCIDENT CASES.(6/04) RATIFIED CH. 652.
- H.1066 CONTROL OF FISHING FROM BRIDGES. S-REPTD FAV AS AMENDED.
- H.1076 CREATING DRUG AUTHORITY.(6/04, 6/22) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED; S-PLACED ON CAL JUNE 28.
- H.1113 AUTO REGISTRATION TRANSFER. S-REPTD FAV.
- H.1122 RECORDATION OF SERVICE DISCHARGE. S-REPTD FAV.
- H.1134 LITTERING HIGHWAYS PRESUMPTION. H-REPTD FAV AS AMENDED.
- #H.1173 JUNK REMOVAL. H-REPTD UNFAV.
- H.1209 STANDING FOR STANDARDS. H-REPTD FAV AS AMENDED.
- H.1221 6-12 MEMBER CIVIL JURY-CONST. AMD.. H-PASSED 3RD READING.
- #H.1229 ANIMAL WASTE POLLUTION CONTROL ACT. H-REPTD UNFAV.
- H.1270 TAXING PROPERTY HAULING VEHICLES. H-PASSED 2ND READING.
- H.1273 PRISON LAUNDRY SERVICE LIMITS. H-REPTD FAV.
- H.1287 PAYMENT OF BILLS-STATE HOSPITALS. H-REPTD FAV.
- H.1292 HAM VEHICLE LICENSES. S-REC FROM HOUSE; S-REF TO COM ON ROADS.
- H.1293 HOUSING AUTHORITY INVESTMENTS. H-REPTD FAV.
- H.1365 (J.RES.) UNC TRUSTEE ELECTION PROCEDURE. H-PASSED 2ND & 3RD READING.
- H.1366 (H.RES.) HOUSE CALENDAR COMMITTEE. H-ADOPTED.

LOCAL BILLS

- S. 397 (DAVIE) TAX LIEN SALES. S-PASSED 2ND & 3RD READING.
- S. 449 (GUILFORD) HIGH PT. POLICE PENSIONS. S-PASSED 2ND READING.
- #S. 507 (GUILFORD) CONDEMNATION PROCEDURES. RATIFIED CH. 649.
- S. 637 (DAVIDSON) THOMASVILLE CITY ELECTIONS.(6/18) S-CONCURRED IN H AMEND.
- S. 684 (HENDERSON) HENDERSONVILLE CHARTER.(6/22) S-COM AMEND ADOPTED; S-PASSED 2ND READING.
- S. 795 (GUILFORD) HIGH POINT POLICE JURISDICTION. S-PASSED 2ND & 3RD READING.
- S. 798 (HAYWOOD) COUNTY AIRPORT AUTHORITY.(6/22) S-COM AMEND ADOPTED; S-PASSED 2ND READING.
- S. 804 (GUILFORD) HIGH POINT CIVIL SERVICE ACT. S-PASSED 2ND & 3RD READING.

- S. 809 (ROBESON) LUMBERTON SCHOOL BOUNDARIES. S-PASSED 2ND & 3RD READING.
- S. 828 (HARNETT) DUNN ABC FUND. S-REPTD FAV.
- H. 670 (CUMBERLAND) LOCAL GOV'T STUDY COMM'N.(6/10, 6/11) S-PASSED 2ND & 3RD READING.
- H.1059 (ROWAN) TAXATION OF MINERAL INTERESTS. H-POSTPONED TO JUNE 28.
- H.1130 (GASTON) GASTONIA-FIVE GALL. LIMIT. S-REPTD FAV.
- H.1140 (DUPLIN) WALLACE CONTRACT BID LIMITS.(6/17) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1148 (CUMBERLAND) FAYETTEVILLE FIREMEN'S FUND. S-PASSED 2ND & 3RD READING.
- H.1149 (WAKE) KNIGHTDALE POLICE FIRE POWERS. S-PASSED 2ND & 3RD READING.
- H.1153 (ROCKINGHAM) SCHOOL MERGER ELECTION. S-PASSED 2ND & 3RD READING.
- H.1159 (PITT) FARMVILLE CHARTER.(6/11) S-PASSED 2ND & 3RD READING.
- H.1161 (MECKLENBURG) CHARLOTTE AIR RIGHTS OVER STREETS. S-RE-REF COM ON LOC GOVT.
- H.1162 (IREDELL) STATESVILLE REALTY, UTILITIES SALE. S-PASSED 2ND & 3RD READING.
- H.1195 (MOORE) INCORPORATE WEST END.(6/21) H-PASSED 3RD READING.
- H.1202 (ASHE) PAVING GARBAGE DUMP ROAD. S-PASSED 2ND & 3RD READING.
- H.1215 (WATAUGA) PUBLIC SCHOOL & COLLEGE COOP.. H-REPTD FAV.
- H.1240 (GRANVILLE) STOVALL BONDS. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1252 (MITCHELL) TAX LISTING BY MAIL. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1276 (FORSYTH, ORANGE) REGISTERED INSTRUMENTS INDEX. H-REPTD FAV.
- H.1284 (UNION) MONROE SCHOOL BOUNDARIES. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

Next Session of House: 11:30 a.m., Wednesday, June 23, 1971.

Next Session of Senate: 11:45 a.m., Wednesday, June 23, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 116

-1091-

WEDNESDAY, JUNE 23, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 848 Regulating auto insurance rates-4 (Iden. H 1401) GS 58
Introducers: Norton and others Sent to INSUR

"Revising the present automobile liability insurance rating laws to provide for additional factors in the rate making process and to require pre-hearing on rate matters." (Identical with H 1401, digested in the House section of today's Bulletin.)

S 849 UNC-C Earth-Life Sci. Bldg. funds APPROPRIATIONS
Introducer: Moore Sent to APPROPRN

"To appropriate funds for the construction and equipping of an Earth-Life Science Building at the University of North Carolina at Charlotte." As title indicates, appropriates \$3,810,000. Effective July 1, 1971.

S 850 Validating corporate conveyances (Iden. H 1393) GS 47
Introducer: Knox Sent to JUDIC 1

"To validate corporate conveyance in which the attestation is omitted."
Adds new section GS 47-70.1 to validate corporate deeds, deeds of trust, mortgages, etc. executed, acknowledged and registered prior to January 1, 1971, if only defect in instrument is lack of attestation. Inapplicable to pending litigation.

S 851 Marine Science Council GS 143
Introducer: Burney Sent to CONS & DEV

"To establish the North Carolina Marine Science Council." Establishes N.C. Marine Science Council in Dep't of Admin. Council to consist of a Chairman and 20 members appointed by Gov. from public and private academic and scientific institutions in State and from various industries and professions in the State concerned with exploration and use of the sea. Chairman to serve at pleasure of Gov.; other members for six-year terms, with four of first 20 members to serve four years and four two years. Members ex officio: State Planning Officer, Director, Dep't of Conservation and Development, State Health Officer, State Property Officer, Director, Dep't of Water & Air Resources, and Director, State Ports Authority. Duties of Council: encourage use and study of ocean and coastal waters; foster education in ocean science; maintain liason with corresponding authorities of near-by coastal states; develop inventory of ocean resources and the industries and institutions that have competence in the science and industry of the oceans; prepare a comprehensive plan for development of the State's marine resources; initiate plans for and work with State agencies in implementation of new federal legislation relating to marine resources, including a "Coastal Zone Authority", if passed;



review research and regulatory programs relating to the Coastal Zone; and report annually on 30 June to Gov. on activities, plus recommendations, if any, designed to accomplish the purposes of this act. Dep't of Admin. to furnish staff and financial support to Council.

S 852 Private school buses
Introducer: Alley

GS 62
PUB UTIL

"To amend subsection 6 of section 62-260 of the North Carolina General Statutes to exclude private and parochial school buses from the operation of the Public Utilities Act." Amends GS 62-260(6) (apparently intended to be GS 62-260(a) (6)) to exclude from coverage of Chapter transportation of pupils and employees to and from private or parochial schools or transportation to and from functions for students and employees of private or parochial schools.

S 853 (Joint Resolution) Student morality
Introducer: Crawford

MISC RES
Sent to HIGHR ED

"Expressing the sense of the General Assembly concerning the moral welfare of students in the state-supported institutions of higher learning in North Carolins." As title indicates.

S 855 Detention of mentally ill
Introducers: Coggins and Larkins

GS 122
Sent to JUDIC 2

"To amend General Statutes 122-61 relating to detention of persons alleged to be mentally ill or inebriate and dangerous to themselves or others." Rewrites second sentence of par. 1 of GS 122-61 to provide that mentally ill or inebriate person shall not be detained in a nonmedical facility used for the detention of individuals charged with or convicted of penal offenses (now, such detention permitted under certain circumstances).

S 856 Bds. of education contracts (Iden. H 1299)
Introducer: Scott

GS 115
Sent to EDUCATN

"To amend G.S. 115-131 to authorize and empower county and city boards of education to enter into long-term and short-term lease, leaseback, and lease-purchase contracts with individuals, firms and corporations." Identical with H 1299, digested in Bulletin No. 112, p. 1033.

S 857 Municipal utilities
Introducer: Scott

GS 62, 159, 160A
Sent to PUB UTIL

"To amend Chapters 62, 159 and 160A to provide for the regulation by the North Carolina Utilities Commission of municipally-owned electric, gas and telephone systems, and to require municipalities to make payments in lieu of taxes to the State and Counties on facilities and operations of such systems outside municipalities." Amends definition of public utility in GS 62-3(23)d to include municipality to extent it owns or operates equipment or facilities for providing electric, gas or telephone service to public for compensation. Amends GS 159-83(a)(6) as enacted by 1971 General Assembly to make rates and operations of municipal system providing electric, gas or telephone service subject to regulation by NC Utilities Comm'n. Adds new GS 160A-312(b) requiring city, upon its facilities and operations to extent they provide electric, gas or telephone service outside corporate limits of city, to make payments in lieu of taxes to State and to county in same amounts as would be paid if public utility owned and operated such facilities outside corporate limits, provided city shall not be required to make payments in lieu of income taxes.

Amends GS 160A-314(a) authorizing city subject to GS 160A-312, to establish and revise schedules of rents, rates, fees, charges and penalties for use of or services furnished by any public enterprise. Effective Jan. 1, 1972.

S 859 Amend Ch. 508, 1971 SL
Introducer: Bailey

GS 7A
Sent to COURTS

"To amend Chapter 508 of the Session Laws of 1971 (S 64, ratified June 4, 1971) to correct an inequity with respect to the retirement of certain superior court judges." Adds new sentence to GS 7A-4.20(a) providing that any superior court judge in office on the effective date (January 1, 1973) of act to require retirement of appellate judges at age 72 and trial judges at age 70, who continues in office until the first day of the month after the month in which he reaches age 70, and who at that time has not served as a judge a sufficient number of years to be eligible for retirement compensation under GS 7A-51, may, notwithstanding the age-70 limit, serve the additional number of calendar months necessary to make him eligible for retirement compensation under GS 7A-51.

S 860 Dep't Justice claims funds
Introducer: Baugh

APPROPRIATION
Sent to APPROPRIATION

"To provide an appropriation for the Department of Justice for a supervisor for the Claims Section." Appropriates \$15,852 for fiscal 1971-72 and \$15,852 for 1972-73 as title indicates. Effective July 1, 1971.

S 861 Health maintenance plans
Introducer: Horton

GS 57
Sent to INSUR

"To amend Chapter 57 of the General Statutes to provide for regulation of Health Maintenance plans by the Commissioner of Insurance." Amends GS 57-1 to include health maintenance plans under article's coverage, and defines same as an organized system of health care which as its primary purpose provides or assures delivery of previously agreed upon comprehensive health maintenance and treatment services to voluntary enrollees and is reimbursed through a previously agreed upon and fixed payment. Amends GS 57-1.2 to permit premium or dues charged by such corporations to be paid by any municipal, state or federal government. Amends GS 57-3 to provide for all obligations arising under contracts issued by corporations to subscribers be satisfied by payments directly to hospital or in case of health maintenance plans by other mutually satisfactory agreements with said hospital. Conforms other sections of GS Ch. 57 to include health maintenance plans.

S 862 Power plant siting (Iden. H 1388)
Introducers: Allen and others

GS 62
Sent to CONS & DEV

"To amend Chapter 62 of the General Statutes to provide for the regulation of the location, operation and maintenance of major utility generation and transmission facilities to promote the provision of reliable, abundant and economical energy supply with due regard for the preservation and enhancement of the environment and conservation of scenic, historic, recreational and other natural resources; and for other purposes." Identical with H 1388, digested in the House section of today's Bulletin.

S 863 (Joint Resolution) "Conviction" definition
Introducer: Strickland

GS 20
Sent to INSUR

"Requesting the Insurance Commissioner to amend the Safe Driver Reward Plan so that the definition of conviction employed therein will conform to the definition adopted in Article 2 of Chapter 20 of the General Statutes regulating the granting, suspension, and revocation of drivers' licenses." As title indicates, requests Insurance Comm'r revise Safe Driver Reward Plan as amended effective Dec. 17, 1969, to provide that "conviction" shall mean a conviction as defined in GS 20-24(c).

HOUSE

H 1380 Sanitary dist. bond interest
Introducer: S. Johnson

GS 130
Sent to JUDIC 1

"Removing the interest rate limitation on sanitary district bonds." As title indicates, rewrites GS 130-138 to remove 6% interest limitation.

H 1381 (Joint Resolution) Thanks for sea plane
Introducers: Jones and others

MISC RES
Passed three readings
and sent to Senate

"Expressing appreciation for the Kingfisher sea plane for the battleship North Carolina." As title indicates.

H 1382 (Joint Resolution) Opposing pollution dilution
Introducers: Collins and others

MISC RES
Sent to CONS&DEV

"Supporting Ashe and Alleghany Counties and the States of North Carolina, Virginia and West Virginia in opposing the loss of lands and recreational values at the proposed Blue Ridge project for shoreline control and in order to provide dilution of polluted waters in West Virginia." As title indicates.

H 1383 (Joint Resolution) Prop. tax exemp. study comm'n
Introducer: Bumgardner

STUDY, GS 105
Sent to FINANCE

"Creating a commission for the study of property tax exemptions and classifications" Creates commission composed of nine members, three appointed by Governor, three by President of Senate, three by Speaker, to study property tax exemptions and classification Comm'n to recommend to 1973 General Assembly a statement of public policy concerning continuation, addition, or deletion of specific exemptions and classifications, and improvement of property tax administration. Administrative Officer of State Bd. of Assessment to be Secretary to Comm'n, but not be a member. Comm'n to report by Oct. 1, 1972.

H 1385 Possession under color of title
Introducer: Long

GS 1
Sent to JUDIC 1

"To amend G.S. 1-38 relating to the possession of real property under color of title." Adds new paragraph to GS 1-38 providing that following acts to constitute prima facie evidence of possession of real property under color of title: (1) recognizable boundary markings; (2) recording of map prepared by registered surveyor; (3) certified copy of such a map; and (4) recording of map prior to Jan. 1, 1972.

H 1386 License fee-practic. psychologists
Introducer: H. Rountree

GS 90
Sent to FINANCE

"Relating to the renewal of annual license fees for practicing psychological examiners." Amends GS 90-27.14 to raise annual license fee to \$10 (was \$5) for practicing psychologists; and amends GS 90-270.11 to raise to \$50 (was \$25) original license fee for practicing psychologists and psychological examiners.

H 1387 Chowan fire control funds
Introducers: Culpepper and Burrus

APPROPRIATION
Sent to APPROPN

"To appropriate funds to the Department of Conservation and Development for forest fire control purposes." As title indicates, \$54,398 for FY ending June 30, 1972, and \$13,806 for FY ending June 30, 1973, for forest fire tractor plow unit in Chowan County area. Effective July 1, 1971.

H 1388 Power plant siting (Iden. S 862)
Introducers: Roberson and Wynne

GS 62
Sent to CONS & DEV

"To amend Chapter 62 of the General Statutes to provide for the regulation of the location, operation and maintenance of major utility generation and transmission facilities to promote the provision of reliable, abundant and economical energy supply with due regard for the preservation and enhancement of the environment and conservation of scenic, historic, recreational and other natural resources; and for other purposes." Adds new Part 16 to GS Ch. 62 establishing detailed procedure for review and evaluation of proposed major generating and transmission facilities by NC Utilities Comm'n certification, both as to their "convenience and necessity" and as to their "environmental compatibility". Requires that the State's environmental agencies find in "environmental compatibility reports" that there is reasonable assurance that laws under their jurisdiction will be heeded, as a condition of approval of a project; and guarantee that public interest groups or environmentalists who are parties to a certification proceeding will be given a change to be heard on all phases of case, including environmental compatibility reports of State agencies. Defines terms, including "major utility facilities", as 75 megawatt-and-larger generating plants, and 125 KV-or-more transmission lines. Prescribes procedures for obtaining a certificate of CNEC from Utilities Comm'n before commencing to construct a major utility facility. Directs that the parties to every certification proceeding under the Act must include, in addition to the applicant: Certain State environmental agencies (Water & Air Resources, C & D, Wildlife Resources, Administration, and the Bd. of Health); affected municipalities and government agencies; environmental, conservation, historic protection, consumer and other interest groups granted leave to intervene for good cause.

Requires that every State and local agency that is a party to the proceeding and has statutory responsibility for protection of air, water, other natural resources, public health or environmental quality shall file on environmental compatibility report with Utilities Comm'n at least 20 days prior to the hearing on a certificate application. Report must state whether there is reasonable assurance that the facility will conform to applicable laws and regulations, and it will be prima facie evidence of such assurance (or lack thereof). Any party to the proceeding is allowed a 30-day period after the report is filed, to be heard concerning the report.

if Commission remands report, agency is allowed 15 days (which may be extended) to affirm or revise report. Requires Comm'n to find that impact of facility on environment is justified, and also that environmental agencies have determined that there is reasonable assurance that facility will comply with applicable laws and regulations. Spells out mechanics of Utilities Comm'n decision; provision for judicial review; limitations on judicial and agency jurisdiction to deal with the matters placed under Utilities Comm'n by the act; joint proceedings with other states or the United States; and requirements for load and resources forecasts. Provides for expedited "quick-take" condemnation procedure for benefit of electric utilities which have been granted certificates under the Act. As part of this procedure, establishes a right of the landowner to demand an independent appraisal of value of his lands. Effective Jan. 1, 1972.

H 1389 Animal Welfare Act
Introducers: M. Smith and others

GS 106
Sent to JUDIC 2

"To supplement the Federal Laboratory Animal Welfare Act (P.L. 89-544) as amended, to provide standards for the care of animals in animal shelters, pounds and pet shops, and regulate dealers, dog wardens, and commercial kennels." Creates Animal Welfare Division in Dep't of Agriculture, with 5-man Animal Welfare Committee with duty to conduct hearings relating to the denial and issuance of licenses under act. Director of Division to be appointed by Comm'r of Agric. and to serve also as Secretary to Committee. Defines terms used in act. Authorizes Committee to make regulations including but not limited to humane transportation to and from registered or licensed premises, records of purchase and sale, identification of animals handled, sanitation, euthanasia, feeding, and veterinary medical care. Authorizes appointment by Director of Animal Welfare Inspectors. Requires within one year certificate of registration for any municipality operating dog pound and for any person operating animal shelter, and licensing of all pet shops, commercial kennel and dealers in animals. Lists reasons for revocation of certificates and licenses, appeal from revocation or suspension decision lying to Animal Welfare Committee. Sets out procedures by which Animal Welfare Committee hears appeals from Director's licensing decisions, including accusation in writing and under oath and procedures for notification and holding of hearings; and provides for transmittal of decision of Committee to clerk of superior court, to be filed in county's judgment docket. Permits appeal from decision of Committee to Wake Superior Court. Makes operation of pet shop without license misdemeanor with fine of \$5-\$25, and with each day of operation a separate offense; makes acting as dealer without license misdemeanor with \$5-\$25 fine or imprisonment up to 6 months; and makes failure of licensed or registered person adequately to care for animals misdemeanor with fine of \$5 per animal but not more than \$1,000. Provides governing body of political subdivision to determine method of disposition of animals released by pound. Requires dog warden keep record of each dog entering and leaving kennel. Makes violation of provisions of act by dog warden misdemeanor with fine of \$50-\$100. Appropriates \$49,310 for fiscal 1971-72 and \$38,299 for fiscal 1972-73 for administering act. Effective July 1, 1971.

H 1393 Validating corporate conveyances
Introducer: Foley

GS 47
Sent to JUDIC 2

"To validate corporate conveyances in which the attestation is omitted."
Identical to S 850, digested in Senate section of today's bulletin.

H 1394 Modify appellate procedure
Introducer: Davis

GS 1
Sent to JUDIC 1

"To modify judicial appellate procedure." Adds to GS 1-279 proviso that if any motion permitted by RCP 59 is timely made or an amendment to or alteration of a judgment is effected by the methods prescribed in Rule 50 the appeal need not be taken within the time limits stated in the Rule, but the appeal must be taken within 10 days from the signing of the order ruling on such motions or amending or altering the original judgment. Effective Oct. 1, 1971.

H 1395 No pyramid or chain schemes
Introducers: Davis & DeBruhl

GS 14
Sent to JUDIC 1

"To prohibit pyramid and chain schemes." Adds new GS 14-291.2 defining "pyramid distribution plan" as a type of lottery punishable under GS 14-290. Judge of superior court authorized to enjoin continuation of such plans, and may assess a civil penalty up to \$2000 against defendant promoting such a plan. Any contract based on such plans declared void.

H 1396 Probate of wills
Introducer: Davis

GS 31
Sent to JUDIC 1

"To provide an additional means for probate of wills." Adds new paragraph (4) to GS 13-18.1(a) providing that testator prior to death may make application to clerk of superior court to have his attested will certified as having been executed according to law. If clerk finds at that time from examination of two witnesses that will was in fact so executed, clerk to affix official seal to each page of will, and attach a certificate to will embodying the proofs and examinations of the witnesses certifying that the will was executed as by law provided. Will to be returned to testator with certificate attached. After testator's death, will may be probated without further examination of witnesses upon application of executor or some other person interested in the estate. Effective Oct. 1, 1971.

H 1397 Medical practice technical changes
Introducers: Whichard and Chase

GS 90
Sent to HEALTH

"To amend Chapter 90 of the General Statutes relating to the practice of medicine." Amends GS 90-9 to require as prerequisite for taking medical licensing exam, completion of four years of medical school or such lesser period of time approved by Bd. Medical Examiners (now four years required). Further amends GS 90-9 by deleting references to subjects covered in exam and exam shall cover branches of medical science and subjects which Bd. deems necessary to determine competence to practice medicine. Amends GS 90-10 to permit in lieu of NC exam, Bd. to grant license to applicant who has passed another examination which Bd. considers sufficient. Deletes age requirement in GS 90-11 for students taking examinations of first two years in medicine.

H 1398 Health facilities
Introducer: Whichard

GS 90
Sent to HEALTH

"To provide for orderly and adequate development of health and medical facilities by requiring the issuance of a certificate of need." Adds new Art. 21 to GS Ch. 90 (Determination of Need for Medical Care Facilities). Provides for development of health and medical care facilities of the State in an orderly, timely, and economical manner by requiring recommendations by areawide comprehensive health planning councils and State licensing agencies prior to issuance of a certificate of need which is a precondition for construction or expansion of health and medical facilities. Certificate of need to be issued only if necessary to provide new or additional inpatient facilities in area to be served, if new facilities can be economically created and maintained, and if the facilities will contribute to the orderly development of adequate and effective health services. In making decision as to need, consideration to be given to size and growth of area to be served, number of existing and planned facilities, extent of utilization of existing facilities, and availability of alternative facilities. Decisions as to need are appealable to the courts as provided by law with regard to licensing decisions of any licensing agency.

H 1399 Nursery products-farm plates
Introducers: Miller and others

GS 20
Sent to ROADS

"To allow operators of plant nurseries to register their vehicles at the lower farm rate." Adds horticultural nursery products to their first or primary market to list of farm products of GS 20-88(b)(4) for which transporting vehicles receive lower farm plate rate. Effective Dec. 31, 1971.

H 1401 Regulating auto insurance rates-4 (Iden. S 848)
Introducers: Leatherman and Rhyne

GS 58
Sent to INSUR

"Revising the present automobile liability insurance rating laws to provide for additional factors in the rate making process and to require prehearing on rate matters." Rewrites GS 58-246(4), adding following provisions: (1) adds commercial cars and garage liability vehicles to groups of vehicles for which the Compensation Rating and Inspection Bureau establishes rates; and (2) grants bureau authority to set rates for automobile medical payments insurance, uninsured motorists coverage and other insurance coverages written in connection with the sale of automobile liability insurance. Adds to GS 58-247(c) provision bureau shall be empowered to subscribe for or purchase any necessary service. Amends GS 58-248 to permit Comm'r to compel the production of statistics for determination of the underwriting experience (now, pure cost) of automobile liability injury and property damage insurance and other lines of insurance referred to in Article; to set out factors Comm'r should consider (including loss experience, loss trends and other relevant economic data) in making rate adjustments; and to direct Automobile Rate Admin. Office on or before July 1 of each year to submit to Comm'r rate review and data referred to by act, with rate proposals to be approved or disapproved by Comm'r within 90 days. Adds to GS 58-248.1 requirement rate-making staffs of bureau and Comm'r meet at least 15 days prior to date set for hearing of a rate filing under Article, to discuss points of disagreement and to make calls for additional information. Provides should General Assembly repeal Article's method of rate-making, Article shall remain codified in event of its restoration.

H 1402 Sales tax exempt - respirators
Introducer: Auman

GS 105
Sent to FINANCE

"To exempt sales of pulmonary respirators sold on prescription of physicians from sales and use tax." Rewrites GS 105-164.13(12) to exempt pulmonary respirators sold on prescription of physicians from sales and use tax. Effective July 1, 1971.

H 1403 Regional transportation systems
Introducer: Stewart

GS 160
Sent to ROADS

"To authorize municipalities and counties to establish and operate regional transportation systems." Adds new article to GS Ch. 160 authorizing establishment and operation of regional transportation systems by any two or more governing bodies of municipalities or counties. Includes authorizations for joint acquisition of land, right-of-way, easements for operation of system by exercise of eminent domain or other means. Establishes procedure for operation of system, vesting of property jointly or separately, contract procedure including authority to contract with State and federal government, authority to issue bonds, and prohibition against selling, leasing or conveying regional transportation system without vote of people.

H 1407 Controlling non-game birds, animals
Introducer: Falls

GS 113
Sent to WILDLIFE

"Amending G.S. 113-104 relating to the manner of taking game so as to provide for the control of non-game birds and animals." Adds GS 113-104 provision permitting non-game birds and animals as defined in GS 113-83 with exception of migratory birds protected by federal government, which have or may become injurious to agriculture or other interests in any particular community to be controlled by pesticides, or methods registered and approved for such uses by Dept. of Ag. without obtaining permit from Wildlife Resources Comm'n or other state agency.

LOCAL BILLS INTRODUCED

SENATE

S 847 Roanoke Rapids city limits
Introducer: Allsbrook

HALIFAX
Sent to LOC GOVT

"Enlarging the corporate limits of the City of Roanoke Rapids." As title indicates amends City Charter enacted in Ch. 1054 1967 SL, as amended, to enlarge corporate boundaries as set forth in detail in bill. Effective on and after July 2, 1971.

S 854 Election of merged school board
Introducers: Currie and Allen

DURHAM
Sent to EDUCATN

"To provide for the manner of election of members to the Durham County Board of Education, pursuant to plan of merger adopted by the Durham County Board of Education and the Durham City Board of Education, subject to approval of such merger by the qualified voters of Durham County." As title indicates, provides for election of merged Board of Education to consist of nine residents of county, elected on a nonpartisan basis by county-wide vote, six from described districts, and three at-large. Terms of members to be four years, staggered. First members to be elected at primary election of 1972. Areas of six districts described. Effective on ratification, but to be null and void if voters of Durham County disapprove merger at election to be called to decide merger plan.

S 858 Greensboro Hous. Dev. Cl'house Comm'n
Introducers: Bowles, McLendon and Murrow

GUILFORD
Sent to LOC GOVT

"To amend the Charter of the City of Greensboro, as revised and reorganized by Chapter 1137 of the Session Laws of 1959, and as amended: to authorize the City of Greensboro to create a Housing Development Clearinghouse Commission." Adds new Sec. 5.75 to above authorizing City Council to create housing development clearinghouse commission to serve as advisory body on matters pertaining to existing and proposed government-assisted housing developments. Sets forth comm'n's duties and provides City Council shall determine comm'n membership.

HOUSE

H 1384 No fishing license, White Lake
Introducer: Green

BLADEN, 143
Sent to WILDLIFE

"Permitting persons owning land fronting on White Lake and their guests to fish from said land without a fishing license." As title indicates.

H 1390 Amending Norman's charter
Introducer: Hunter

RICHMOND
Passed two readings

"To amend Chapter 74 of the 1913 Private Laws of North Carolina, extra session, relating to the incorporation of the Town of Norman, North Carolina."
Amends Sec. 3, Ch. 74, 1913 SL requiring town elections be held on Tuesday after first Monday in May beginning in 1973 and naming Hogan as Mayor and Warner, Hancock, McLeod as comm'rs.

H 1391 Fire service liens
Introducer: Hunter

RICHMOND
Passed three readings and
sent to Senate

"To amend Chapter 855 of the Session Laws of 1969 to add Richmond County to the provisions thereof." As title indicates.

H 1392 Wine sales
Introducer: Odom

SCOTLAND
Sent to ABC

"To permit local ABC Boards to limit the sale of wine exclusively to ABC stores." As title indicates, applicable to Scotland County only.

H 1400 Indust. dev. funds
Introducers: Barbee, Eagles and Fenner

NASH
Sent to LOC GOVT

"To amend Chapter 96, Session Laws of 1961, relating to expenditure of funds for industrial development in Nash County." Raises to \$40,000 (was \$35,000) the amount Board of County Comm'rs may appropriate for industrial development purposes. (Act purports to amend Ch. 96, SL 1961, and repeal Ch. 428, SL 1967, but apparently should amend Ch. 428.)

H 1404 Wrightsville Beach run-off
Introducer: G. Rountree

NEW HANOVER
Sent to LOC GOVT

"To provide for run-off election in the event of a tie-vote at the Town of Wrightsville Beach." Requires Bd. Elections, in event Bd. of Canvassers judicially determines tie, to call run-off election within 10-15 days among tied candidates and voter registration books shall not be reopened for such run-off. If tie exists in run-off, town bd. shall determine winner by lot.

H 1405 County accountant
Introducers: Penton and G. Rountree

NEW HANOVER
Sent to LOC GOVT

"To give the Board of Commissioners of New Hanover County the power to appoint a county accountant." As title indicates authorizes Bd. Comm'rs upon expiration of auditor's current term and upon advice of committee of certified public accountants to appoint County Accountant.

H 1406 Greensboro Hous. Dev. Cl'house Comm'n
(Iden. S 858)
Introducers: Short, Frye, Hunt, Payne,
Phillips, M. Smith

GUILFORD
Sent to LOC GOVT

"To amend the Charter of the City of Greensboro, as revised and reorganized by Chapter 1137 of the Session Laws of 1959, and as amended: to authorize the City of Greensboro to create a Housing Development Clearinghouse Commission." Identical with S 858 digested in Senate section of today's Bulletin.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

- S 428 Visual environmental controls (Iden. H 706; digested in Bulletin No. 66, p. 503; H Committee Substitute #1 digested in Bulletin No. 111, p. 1023; H Committee Substitute #2 digested in Bulletin No. 115, p. 1086)
S Committee Substitute adopted 6/23/71 identical with H Committee Substitute #2.
- S 550 Eng. and land survey law rewrite (digested in Bulletin No. 81, p. 602; Committee Substitute digested in Bulletin No. 104, p. 938.
Amendments adopted in Senate delete requirement that land surveyors of Land Surveying Section of State Bd. of Registration for Engineers and Land Surveyors be in private practice, and clarify inapplicability of chapter to landscape architecture, and to "engineering activity excluding design engineering of cities, towns, counties and their employees in connection with the installation, servicing, maintenance, and operation of municipal and county functions and facilities."
- S 583 Amending Non-profit Corp. Act (digested in Bulletin No. 85, p. 708)
Amendment adopted in Senate 6/23/71 deletes prohibition against certificate filing fees exceeding \$200.
- S 634 Transcript costs-indigents (digested in Bulletin No. 90, p. 761)
Committee Substitute adopted in Senate 6/23/71 adds to GS 7A-300(a)(8) requirement that State pay for copies of exhibits and other expenses found necessary by trial court to protect Constitutional rights of accused indigent.
- S 668 Highway const. contracts and bonds (digested in Bulletin No. 94, p. 809)
Amendments adopted in Senate 6/23/71 delete insurance premiums from definition of labor or materials expenses and delete equipment purchases from coverage of bill. Make effective date Jan. 1, 1972 (originally July 1, 1971).

HOUSE BILLS

- H 59 Uniform municipal elections law (digested in Bulletin No. 7, p. 41; Committee Substitutes digested in Bulletin No. 113, p. 1053 and Bulletin No. 115, p. 1085)
Amendments adopted in House 6/23/71 make following changes: (1) provides new procedure for nomination by petition in GS 163-296; (2) adds section providing for officials elected during 1971 or 1972 to hold office until successors elected under new procedure.
- H 153 Municipal law revision (digested in Bulletin No. 18, p. 115; Committee Substitute digested in Bulletin No. 103, p. 927)
Amendments adopted in Senate rewrite Sec. 160A-267 (private sales) and make various technical amendments.

- H 169 Machinery Act of 1971 (digested in Bulletin No. 20, p. 129; Committee Substitute digested in Bulletin No. 111, p. 1023)
Technical amendment adopted in House 6/23/71.
- H 516 NC Trails System Act (digested in Bulletin No. 52, p. 375)
Committee Substitute adopted in House 6/23/71 substantially shortens act as follows: (1) State Scenic Trails shall be designated only by General Assembly; (2) designates Appalachian Trail as State Scenic Trail, with lands and interests to be acquired as prescribed by GS Ch. 146; and (3) makes act applicable only in Clay, Macon, Swain, Graham, Madison, Yancey, Mitchell and Avery Counties.
- H 863 State gov't reorganization (Iden. S 540) (digested in Bulletin No. 80, p. 650; Committee Substitute digested in Bulletin No. 114, p. 1070, 1071)
Amendments adopted in House 6/23/71 make immediate staff of Governor not subject to State Personnel Act but subject to GS 143-34 as contained in H 900 if such act is ratified by General Assembly, and transfers Burial Comm'n, and Rural Electrification Authority by Type II (Originally Type III) transfers.
- H 888 Public school tenure system (digested in Bulletin No. 82, p. 677)
Committee substitute and amendments thereto adopted in House make following changes: (1) changes "permanent teacher" to "career teacher"; (2) adds "habitual and excessive use of alcoholic beverages or narcotic drugs" as a ground for dismissal of a career teacher; (3) increases size of Professional Review Committee from 50 to 121, eleven from each of the State's Congressional Districts, and requires that five of each eleven be laymen; (4) revises composition of panel to review decision of superintendent to dismissal or demotion of a career teacher; and changes effective date to July 1, 1972.
- H 935 Primary candidate qualifications (digested in Bulletin No. 86, p. 723)
Committee Substitute adopted in Senate 6/23/71 requires 3 (originally, 6) months affiliation with political party prior to filing as candidate in party primary.
- H 1127 Public Solicitation Act (digested in Bulletin No. 98, p. 873)
Committee Substitute adopted in House 6/23/71 makes following changes: (1) requires Bd. to adopt regulations in additional area of use of registration number and statement that soliciting organization has received license from dep't, and requirements concerning establishment and duties of advisory committee; (2) clarifies provision making criminal and civil penalties not mutually exclusive.
Amendment adopted in House 6/23/71 makes effective date July 1, 1972 (originally, Jan. 1, 1972).
- H 1183 Personalized checks for fines (digested in Bulletin No. 103, p. 925)
Amendment adopted in House 6/23/71 makes technical changes and changes effective date to Oct. 1, 1971 (originally, upon ratification).
- H 1270 Taxing property hauling vehicles (digested in Bulletin No. 110, p. 1006)
Amendment adopted in House 6/23/71 sets rate for trucks over 16,500 pounds in "farmer" category at 50¢ (originally, 52¢) and adds to GS 20-88(4) provision that property hauling vehicles transporting farm products from farm to market shall be classified under "farmer" classification.
- H 1365 UNC trustee election procedure (Iden. S 846; digested in Bulletin No. 115, p. 1081)
Amendment adopted in Senate 6/23/71 limits nomination speeches to one minute and prohibits seconds to nominations.
- H 1367 Sales tax referendum (digested in Bulletin No. 115, p. 1084)
Clarifying amendment adopted in House 6/23/71.

SENATE AND HOUSE

CALENDAR ACTION

JUN. 23, 1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- #S. 49 SERVICE OF PROCESS ON SHERIFF.(2/01, 3/30) RATIFIED CH. 653.
S. 287 DRUG VEHICLE FORFEITURE.(6/21) S-PASSED 2ND & 3RD READING.
S. 428 VISUAL ENVIRONMENT CONTROLS.(6/23) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
S. 445 NC PESTICIDE LAW OF 1971.(6/16) S-PLACED ON CAL JUNE 24.
S. 446 UNIFORM CRIME REPORTING SYSTEM. S-REPTD FAV AS AMENDED.
S. 451 SANITATION OF FARM LABOR CAMPS.(6/22) S-PLACED ON CAL JUNE 25.
S. 514 REDEV. COMM'NS-PRIVATE SALES.(6/18, 6/21) H-REC FROM SENATE; H-REF TO COM ON JUDIC 1.
S. 539 CERTAIN STATE AGENCIES ABOLISHED. S-REPTD FAV AS AMENDED.
S. 540 ST GOV'T REORGANIZATION.(6/21) S-PLACED ON CAL JUNE 29.
S. 550 ENG. AND LAND SURVEY LAW REWRITE.(6/07, 6/23) S-COM AMENDS ADOPTED; S-PASSED 2ND READING.
S. 583 AMENDING NON-PROFIT CORP. ACT.(6/23) S-COM AMEND ADOPTED; S-PLACED ON CAL JUNE 24.
S. 598 CORPORATION ACT AMENDMENTS. S-PLACED ON CAL JUNE 24.
S. 634 TRANSCRIPT COSTS-INDIGENTS.(6/23) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
S. 641 BALD HEAD DEVELOPMENT. S-REPTD FAV.
S. 664 ABANDONMENT OF ROADS.(6/15) S-RE-REF COM ON ROADS.
S. 668 HIGHWAY CONST. CONTRACTS AND BONDS.(6/23) S-COM AMENDS ADOPTED; S-PASSED 2ND READING.
S. 678 ESCHEAT PENALTY. S-REPTD FAV.
S. 679 ESCHEAT REPORTS. S-REPTD FAV.
S. 680 ESCHEAT, STATUTE OF LIMITATIONS. S-RECALLED FROM COM; S-RE-REF COM ON JUDIC 2.
S. 681 ESCHEAT LAW REVISION. S-REPTD FAV AS AMENDED.
S. 682 ESCHEAT-FEDERAL COURT. S-REPTD FAV.
S. 726 CPA CERTIFICATE FEES. H-REPTD FAV.
S. 734 REVISE PRIVATE DETECTIVE LAW. S-PASSED 2ND READING.
S. 739 NO HITCHHIKING ON INTERSTATES. S-REPTD FAV AS AMENDED.
S. 748 LICENSE AUTO DAMAGE APPRAISERS. S-PASSED 2ND READING.
#S. 782 WILDLIFE COMM'N APPOINTMENTS. S-REPTD UNFAV.
S. 786 PERMIT FEES FOR PEN-RAISED QUAIL. H-REC FROM SENATE; H-REF TO COM ON FINANCE.
S. 791 MENTAL RETARDATION COUNCIL. S-REPTD FAV AS AMENDED.
S. 794 NO PARKING LIGHTS. S-REPTD FAV AS AMENDED.
S. 796 CONFORMING STATUTES TO GS CH. 7A. S-REPTD FAV.

- S. 803 PRINTING OF SESSION LAWS. H-REC FROM SENATE; H-REF TO COM ON RULES.
- S. 805 JUDGE ELECTION DATE. S-REPTD FAV.
- S. 807 GAS STATION ATTENDANTS REQUIRED-2. S-PASSED 2ND READING.
- S. 810 (J.RES.) THANKING MR. AND MRS. HUGHES. H-REC FROM SENATE; H-REF TO COM ON RULES.
- S. 816 SEED POTATO LAW CHANGES. S-REPTD FAV.
- S. 819 LEGIS. BLDG. GOV. COMM'N. S-PASSED 3RD READING.

- H. 59 UNIFORM MUNICIPAL ELECTION LAWS.(6/18, 6/22, 6/23) H-FLOOR AMENDS ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 153 MUNICIPAL LAW REVISION.(6/04, 6/23) S-COM AMEND ADOPTED; S-PLACED ON CAL JUNE 25.
- #H. 155 NUISANCES-PUBLIC MORALS.(4/22, 4/27, 5/25, 5/26, 6/18) RATIFIED CH. 655.
- H. 156 RETAIL INSTALLMENT SALES ACT.(5/27, 6/01) S-REPTD FAV AS AMENDED.
- H. 169 MACHINERY ACT OF 1971.(6/16, 6/22, 6/23) H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING.
- H. 210 SLOW VEHICLE REFLECTORS.(3/30, 3/30, 3/31) S-REPTD FAV AS AMENDED.
- #H. 350 ADOPTION CONSENT PROCEDURES. H-REPTD UNFAV.
- #H. 351 CHILD PLACEMENT SPONSORS. H-REPTD UNFAV.
- H. 468 REGULATING SUBDIVISION SALES.(6/22) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- H. 492 ROAD-SIDE REST AREAS-NO LOITERING. H-REPTD FAV AS AMENDED.
- H. 516 NC TRAILS SYSTEM ACT.(6/23) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 548 CHILD ABUSE REPORTING.(6/03, 6/09, 6/09) S-REPTD FAV AS AMENDED; S-PLACED ON CAL JUNE 28.
- H. 610 LOCAL GOVERNMENT FINANCE ACT.(6/15, 6/21) S-REC FROM HOUSE; S-REF TO COM ON FINANCE.
- H. 700 TORT CLAIMS-LOCAL LIABILITY.(5/25) H-REPTD FAV AS AMENDED.
- H. 701 TAXATION OF BANKS-2.(5/19) S-REC FROM HOUSE; S-REF TO COM ON FINANCE.
- H. 737 NC PESTICIDE LAW OF 1971.(6/17) H-REPTD FAV.
- H. 750 ANIMAL QUARANTINE PROCEDURES. S-REPTD FAV AS AMENDED.
- #H. 845 RECORDED INSTRUMENTS,QUALITY. RATIFIED CH. 657.
- #H. 846 RETURN OF RECORDED MAPS.(6/01) RATIFIED CH. 658.
- H. 863 STATE GOV'T REORGANIZATION.(6/21, 6/23) H-FLOOR AMENDS ADOPTED; H-PASSED 2ND READING.
- H. 888 PUBLIC SCHOOL TENURE SYSTEM.(6/23, 6/23) H-REP FAV COM SUB AS AMEND; H-COM SUBSTITUTE ADOPTED; H-COM AMENDS ADOPTED.
- H. 900 LEG'VE APPROVAL NON-SPA SALARIES.(5/26, 6/01, 6/21) S-PLACED ON CAL JUNE 24.
- H. 935 PRIMARY CANDIDATE QUALIFICATIONS.(5/28, 6/23) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
- #H. 936 LEGISLATIVE FISCAL RESEARCH.(5/21, 6/22) RATIFIED CH. 659.
- H. 942 EMPLOYMENT SECURITY LAW CHANGES.(5/21, 5/24, 6/18) S-PASSED 3RD READING.
- H. 944 NAME CHANGE-GOOD NEIGHBOR COUNCIL. S-REPTD FAV.

- H. 960 BARBER'S FEES. H-RECALLED FROM SENATE.
- H. 967 PLEDGE TO PARTY NOMINEES. S-REPTD FAV.
- #H. 996 FRAUD ONLY TO AVOID INSURANCE. H-REPTD UNFAV.
- H. 1012 (J.RES.) PRIVATE CHILD-CARE FUNDS. S-REPTD FAV.
- H. 1036 DISEASED ANIMALS RUNNING AT LARGE. S-REPTD FAV.
- #H. 1049 SOCIAL SERVICES EQUAL. FUNDS. H-REPTD UNFAV.
- H. 1050 RESIDENT HUNTING LICENSES. S-REPTD FAV.
- H. 1063 LIFE INSURANCE CANCELLATION. H-REPTD FAV AS AMENDED.
- H. 1067 ALCOHOLISM EDUCATION TAX. H-REPTD FAV AS AMENDED.
- H. 1087 NONRESIDENT TUITION INCREASE.(6/17) S-RECALLED FROM COM;
S-RE-REF COM ON FINANCE.
- H. 1101 CENTRAL PRISON-PERSONS UNDER 16. S-REPTD FAV AS AMENDED.
- H. 1109 POULTRY PRODUCTS INSPECTION ACT. S-REPTD FAV.
- H. 1123 MOVING LIVE POULTRY AND LIVESTOCK.(6/09) S-REPTD FAV.
- H. 1127 PUBLIC SOLICITATION ACT.(6/23, 6/23) H-REP FAV COM SUB AS
AMEND; H-COM SUBSTITUTE ADOPTED; H-COM AMEND ADOPTED.
- H. 1137 BULK TOBACCO BARNS SALES TAX. H-REPTD FAV AS AMENDED.
- H. 1183 PERSONALIZED CHECKS FOR FINES.(6/23) H-REPTD FAV COM
SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 1199 SPECIAL ASSESSMENT-INTEREST RATE. H-REPTD FAV AS AMENDED.
- H. 1221 6-12 MEMBER CIVIL JURY-CONST. AMD.. S-REC FROM HOUSE; S-REF
TO COM ON CONSTUTN.
- H. 1241 CEMETERIES FOR PRIVATE GAIN. H-REPTD FAV.
- H. 1245 ADD'L DIST. JUDGES-MECKLENBURG. H-REPTD FAV AS AMENDED;
RE-REF COM ON APPROPN.
- #H. 1248 LICENSE CHILD CARE INSTITUTIONS. H-REPTD UNFAV.
- H. 1270 TAXING PROPERTY HAULING VEHICLES.(6/23) H-FLOOR AMEND
ADOPTED; H-PASSED 3RD READING.
- H. 1281 PROPERTY INSURANCE AGENTS-EXAM. H-REPTD FAV.
- H. 1349 JUVENILE CORRECTION REVISION. H-REPTD FAV AS AMENDED.
- H. 1365 (J.RES.) UNC TRUSTEE ELECTION PROCEDURE.(6/23) S-REC FROM
HOUSE; S-PLACED ON CAL; S-FLOOR AMEND ADOPTED; S-PASSED 2ND
& 3RD READING; H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S
AMEND.
- H. 1381 (J.RES.) THANKS FOR SEA PLANE. H-PASSED 2ND & 3RD READING;
S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 397 (DAVIE) TAX LIEN SALES. H-REC FROM SENATE; H-REF TO COM ON
LOC GOVT.
- S. 449 (GUILFORD) HIGH PT. POLICE PENSIONS. S-PASSED 3RD READING.
- #S. 637 (DAVIDSON) THOMASVILLE CITY ELECTIONS.(6/18) RATIFIED CH.
654.
- S. 684 (HENDERSON) HENDERSONVILLE CHARTER.(6/22) S-PASSED 3RD
READING.
- S. 749 (HALIFAX) ROANOKE RAPIDS CITY LIMITS.(6/16, 6/21) H-REC FROM
SENATE; H-REF TO COM ON JUDIC 2.
- S. 795 (GUILFORD) HIGH POINT POLICE JURISDICTION. H-REC FROM SENATE;
H-REF TO COM ON LOC GOVT.
- S. 798 (HAYWOOD) COUNTY AIRPORT AUTHORITY.(6/22) S-PLACED ON CAL
JUNE 25.

- S. 804 (GUILFORD) HIGH POINT CIVIL SERVICE ACT. H-REC FROM SENATE;
H-REF TO COM ON LOC GOVT.
- S. 809 (ROBESON) LUMBERTON SCHOOL BOUNDARIES. H-REC FROM SENATE;
H-REF TO COM ON LOC GOVT.
- S. 828 (HARNETT) DUNN ABC FUND. S-PASSED 2ND & 3RD READING.
- #H. 670 (CUMBERLAND) LOCAL GOV'T STUDY COMM'N.(6/10, 6/11) RATIFIED
CH. 656.
- #H. 802 (FORSYTH) STUDENT DUE PROCESS-HEARINGS.(5/26) H-POSTPONED
INDEF.
- H. 898 (BEAUFORT, JONES, ONSLOW, WASHINGTON) NO BEAR HUNTING.(5/14)
S-REPTD FAV AS AMENDED.
- H.1130 (GASTON) GASTONIA-FIVE GALL. LIMIT. S-PASSED 2ND & 3RD
READING.
- #H.1148 (CUMBERLAND) FAYETTEVILLE FIREMEN'S FUND. RATIFIED CH. 660.
- #H.1149 (WAKE) KNIGHTDALE POLICE FIRE POWERS. RATIFIED CH. 661.
- #H.1153 (ROCKINGHAM) SCHOOL MERGER ELECTION. RATIFIED CH. 662.
- #H.1159 (PITT) FARMVILLE CHARTER.(6/11) RATIFIED CH. 663.
- #H.1162 (IREDELL) STATESVILLE REALTY, UTILITIES SALE. RATIFIED CH.
664.
- #H.1202 (ASHE) PAVING GARBAGE DUMP ROAD. RATIFIED CH. 665.
- H.1225 (TYRRELL) CUSSING ON HIGHWAYS.(6/21, 6/21) S-REC FROM HOUSE;
S-REF TO COM ON JUDIC 1.
- H.1242 (ROWAN) CITY,COUNTY ZONING.(6/18) S-REC FROM HOUSE; S-REF TO
COM ON LOC GOVT.
- H.1278 (NORTHAMPTON) BOARD OF EDUCATION MEMBERS. H-REPTD FAV.
- H.1367 (FORSYTH) SALES TAX REFERENDUM.(6/23) H-REPTD FAV AS AMENDED;
H-COM AMEND ADOPTED; H-PASSED 2ND READING.
- H.1390 (RICHMOND) AMENDING NORMAN'S CHARTER. H-PASSED 2ND READING.
- H.1391 (RICHMOND) FIRE SERVICE LIENS. H-PASSED 2ND & 3RD READING;
S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

Next Session of House: 11:30 a.m., Thursday, June 24, 1971.

Next Session of Senate: 11:45 a.m., Thursday, June 24, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
P. O. BOX 7294, RALEIGH, N. C.
27611 TEL. 755-3355
829-7677

BULLETIN NO. 117

-1107-

THURSDAY, JUNE 24, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 864 No bootleg cigarettes
Introducer: Bagnal

GS 14
Sent to MFR LABR

"To make it unlawful to purchase, sell, transport or possess cigarettes for the purpose of unlawful sale or resale in another state." As title indicates. Purchase or sale in any six consecutive days of more than 5000 cigarettes constitutes a prima facie violation of act., and transportation or possession of more than 5000 cigarettes, except under specified circumstances, also constitutes prima facie violation. Law enforcement officers to seize any cigarettes and conveyances found in violation of act, but conveyance may be released on double-value bond. If defendant convicted, cigarettes and conveyance to be sold, with clear proceeds going to school fund. Rights of third-party owners of conveyances protected. Conveyance defined to include motor vehicle, water craft, or airplane. Violation of act punishable by \$5000 fine or 5 years confinement, or both.

S 866 Canned dog food law (Iden. H 1359)
Introducers: White and Futrell

GS 106
Sent to AGRICULT

"Rewriting G.S. 106-146 relating to labeling requirements of canned dog food." Identical with H 1359, digested in Bulletin No. 115, p. 1078.

S 867 UNC-W Marine Science Bldg. funds (Iden.H 1408) APPROPRIATION
Introducer: Burney

Sent to APPROPRN

"To appropriate two million ninety-seven thousand dollars for a Marine Science Building on the campus of the University of North Carolina at Wilmington." As title indicates. Effective July 1, 1971.

S 870 Deed of trust cancellation by ben.
(Iden. H 1424)
Introducer: McGeachy

GS 45
Sent to JUDIC 2

"To amend G.S. 45-37(a)(1) so as to provide for discharge of mortgages and deeds of trust by acknowledgement by the beneficiary of the deed of trust." Rewrites GS 45-37(a)(1) to include "beneficiary" of deed of trust as person who is authorized to acknowledge satisfaction of the deed of trust.

S 871 (Joint Resolution) Mental Health Dep't study
(Iden. H 1423)
Introducers: Allsbrook and others

STUDY
Sent to RULES

"Authorizing and directing the Legislative Research Commission to make a complete in-depth study of the Department of Mental Health and related programs and



to make recommendations to the General Assembly." As title indicates, directs study by Comm'n and requires Comm'n to report its findings and recommendations to 1973 General Assembly.

S 872 UNC Asheville Soc. Sci. Bldg. funds
Introducer: Gudger

APPROPRIATION
Sent to APPROPRN

"To appropriate funds for the construction of a Social Science classroom building at the University of North Carolina at Asheville." Appropriates \$950,000 to UNC Asheville for above purpose. Effective July 1, 1971.

S 873 Highway Comm'n-taking w/o complaint
Introducer: Gudger

GS 136
Sent to JUDIC 2

"To amend G.S. 136-111 relating to the remedy available to persons whose land is taken by the Highway Commission but no complaint or declaration of taking has been filed. Amends GS 136-111 to make remedy provided therein applicable upon the taking of the affected property or interest therein or the completion of the project involving the taking whichever shall occur later.

S 874 Zoo construction bonds (Iden. H 1414)
Introducer: Baugh

GS 129
Sent to FINANCE

"To authorize the issuance of \$2,000,000 in bonds of the State to provide funds for zoological park facilities in the state subject to a vote of the people of the state. Subject to approval by statewide referendum, State Treasurer authorized to issue \$2,000,000 worth of Zoological Park Facilities Bonds. Proceeds to be used for planning, designing, and construction of the NC Zoological Park. Terms of issuance of bonds, interest rate, etc., to be set by Treasurer with approval of Governor and Council of State. Issuance of bond anticipation notes authorized. Bonds backed by full faith, credit and taxing power of State, and bonds, notes, coupons, and interest thereon exempt from State and local taxes. Election to be held in 1971 or 1972, at Governor's option. If election not combined with 1972 general election, absentee ballots not authorized. Form of ballot specified.

S 875 State Zoo revenue bonds (Iden H 1415)
Introducer: Baugh

GS 129
Sent to FINANCE

"To authorize the North Carolina State Construction Finance Authority to issue revenue bonds not in excess of \$2,000,000 for State Zoo purposes." As title indicates, authorizes State Construction Finance Authority upon request of NC Zoological Authority to issue up to \$2,000,000 in revenue bonds pursuant to GS Ch. 129, Art. 8 for purpose of paying cost of project consisting of making capital improvements with respect to State zoo site.

S 876 (Joint Resolution) Commercial fisheries study comm'n
(Iden. H 1416)
Introducers: Bowles and others

STUDY, GS 138
Sent to POLICIES

"To establish the North Carolina Commercial Fisheries Study Commission." Establishes Comm'n composed of ten members, three appointed by Speaker, three by Lieutenant Gov., and four appointed by Gov., with specific qualifications and experience set forth in bill. Sets forth powers and duties of Comm'n and requires Comm'n make report to Gov., Speaker and Lieutenant Gov. by Dec. 1, 1973. Expenses of Comm'n to be paid by Contingency and Emergency Fund.

S 877 Nursery products-farm plates. (Iden. H 1399)
Introducers: Bowles and McLendon

GS 20
Sent to FINANCE

"To allow operators of plant nurseries to register their vehicles at the lower farm plate rate." Identical with H 1399 digested in Bulletin No. 116, p. 1098.

S 878 Export tax incentives
Introducer: Joyner

GS 105
Sent to MFG LABR

"To provide tax incentives for the construction and improvement of export facilities within the State of North Carolina and for deduction of net income derived from the sale of North Carolina products overseas." Adds new subdivision (8) to GS 105-130.5(a) providing that depreciation or amortization claimed for federal income tax purposes in connection with export facilities, provided the costs of such facilities has been previously deducted for state income tax purposes must be added to federal taxable income in determining state net income. Adds new subdivisions (9) and (10) to GS 105-130.5(b) providing: (9) at taxpayer's election, capital expenditures made to build, construct, or improve facilities located in N.C. used in exportation of goods manufactured within the U.S., and agricultural products grown or processed within the U.S. may be deducted from federal taxable income in determining State net income; and (10) at taxpayer's election, net income from sale of goods manufactured, processed, or grown in N.C. and which are sold outside the U.S., Alaska, and Hawaii, provided the goods are actually shipped within 18 months from sale thereof, shall also be deductible from federal taxable income in determining State net income. Effective with respect to tax years beginning on and after January 1, 1972.

HOUSE

H 1408 UNC-W Marine Science Bldg. funds (Iden. S 867)
Introducers: Penton and G. Rountree

APPROPRIATIONS
Sent to APPROPRN

"To appropriate two million ninety-seven dollars for a marine science building on the campus of the University of North Carolina at Wilmington." Identical to S 867, digested in Senate section of today's Bulletin.

H 1409 Expanding county eminent domain
Introducer: Huskins

GS 153
Sent to JUDIC 1

"To add county office buildings and sanitary land fills to the purposes for which counties are now authorized to exercise the power of eminent domain." Amends GS 153-9(57) as title indicates.

H 1410 Transferring burial ass'n benefits
Introducer: Bumgardner

GS 58
Sent to INSUR

"Amending G.S. 58-224.2 relating to burial associations so as to provide for the transfer in cash of a member's benefits." Amends GS 58-224.2 as title indicates.

H 1414 Zoo construction bonds (Iden. S 874)
Introducers: Ingram and Wynne

GS 129
Sent to FINANCE

"To authorize the issuance of \$2,000,000 in bonds of the State to provide funds for zoological park facilities in the State subject to a vote of the people of the State." Identical with S 874 digested in Senate section of today's Bulletin.

H 1415 State zoo revenue bonds (Iden. S 875)
Introducers: Ingram and Wynne

GS 129
Sent to FINANCE

"To authorize the North Carolina State Construction Finance Authority to issue revenue bonds not in excess of \$2,000,000 for State zoo purposes." Identical with S 875

digested in Senate section of today's Bulletin.

H 1416 (Joint Resolution) Commercial fisheries study comm'n STUDY
(Iden. S 876) Sent to COM FISH
Introducer: Bryan

"To establish the North Carolina Commercial Fisheries Study Commission." Identical with S 876 digested in Senate section of today's Bulletin.

H 1417 Dual office holding-2 GS 128, CONST
Introducer: Harkins Sent to CONSTUTN

"To implement the Constitution of North Carolina, Article VI, Section 9, with respect to dual office holding." Rewrites GS 128-1 to forbid person holding office under US or gov't of another state from also holding NC elective office; to prohibit concurrent holding of 2 elective offices in NC; to prohibit concurrent holding of any 2 or more appointive or elective offices or any combination of same except as General Assembly provides; and to permit officers of US military not on active duty for extensive period, notary publics, and delegates to conventions concurrently to hold US or NC office. Adds new GS 128-1.1 permitting person holding office under US or other state gov't concurrently to hold one non-elective office in NC, person holding one elective office in NC to hold one NC non-elective office, and person holding one NC non-elective office to hold one other State or US elective or non-elective office; provided in none of these cases shall the 2 offices held be incompatible. Adds new GS 128-1.2 providing NC Const. Art. VI, Sec. 9, shall not be deemed to prohibit NC office-holder's performing powers of another State office when those powers are to be performed as ex officio duties of the first office. Adds new GS 128-1.3 providing nothing in Art. 1, GS Ch. 128 shall be deemed to invalidate any other statute authorizing concurrent office-holding. Rewrites GS 128.2 to void attempt of person to take NC office for which he is ineligible under NC Const. or GS Ch. 128, Art. 1; and to provide person holding NC office vacates same upon acceptance of US office or another NC office.

H 1418 Reducing savings & loan taxes GS 105
Introducers: Short and Phillips Sent to FINANCE

"Relating to taxation of savings and loan associations." Amends GS 105-228.23 and -228.24 to reduce tax on savings and loan associations to 6¢ per \$100 (now 7 1/2¢) and to 6% (now 7 1/2%) imposed by above sections.

H 1420 No fishing license over 70 GS 113
Introducers: M. Smith and Mason Sent to WILDLIFE

"Amending Chapter 242 of the 1971 Session Laws so as to provide that residents and nonresidents 70 years of age or older may fish without a license." Adds to GS 113-95 proviso that any person over 70 may fish in State without a license, but must have in possession evidence satisfactory to Wildlife Commission of his age. Effective August 1, 1971. (For similar bills see S 209 and H 291.)

H 1422 Municipal elections and land use GS 160A
Introducer: S. Johnson Sent to JUDIC 1

"Conforming Chapter 160A of the General Statutes with the Uniform Municipal Elections Law, and clarifying the status of existing municipal land use ordinances under Chapter 160A." Rewrites par. (7) of GS 160A-101 (H 153) to conform to uniform municipal election law. Repeals Art. 6, GS Ch. 160A and adds new GS 160A-360(i) providing all city ordinances adopted before Jan. 1, 1972 shall continue in full force and effect within territorial jurisdiction of city as it existed on Dec. 31, 1971, until city defines boundaries of its extra-territorial jurisdiction pursuant to this section, or July 1, 1972, whichever occurs first.

H 1423 (Joint Resolution) Mental Health Dep't study
(Iden. S 871)
Introducer: Royall

STUDY
Sent to MENTAL H

"Authorizing and directing the Legislative Research Commission to make a complete in-depth study of the Department of Mental Health and related programs and to make recommendations to the General Assembly." Identical with S 871 digested in Senate section of today's Bulletin.

H 1424 Deed of trust cancellation by ben. (Iden. S 870)
Introducer: Green

GS 45
Sent to JUDIC 2

"To amend G.S. 45-37(a)(1) so as to provide for discharge of mortgages and deeds of trust by acknowledgement by the beneficiary of the deed of trust." Identical with S 870 digested in Senate section of today's Bulletin.

LOCAL BILLS INTRODUCED

SENATE

S 865 Gastonia charter
Introducers: Rauch and Harris

GASTON
Sent to LOC GOVT

"To revise, consolidate and restate the charter of the City of Gastonia and to repeal all prior charter acts." As title indicates, governing body to consist of mayor and six councilmen, with two-year terms. Council to appoint city manager to act as chief administrator of city. City clerk, attorney, and tax collector, also provided for. Usual city powers conferred. Councilmen to be elected from wards. Election procedures specified.

S 868 Municipal law revision changes
Introducer: Moore

MECKLENBURG, GS 160A
Sent to LOC GOVT

"To amend G.S. 160A-360 to delete Mecklenburg County from its provisions." Adds new GS 160A-360(h) to provide in Mecklenburg County municipalities may exercise powers granted under this Article only within their corporate limits. Elsewhere in county, powers shall be exercised by Bd. County Comm'rs. Effective Jan. 1, 1972.

S 869 Extra-territorial powers
Introducer: Moore

MECKLENBURG
Sent to LOC GOVT

"To remove the extra-territorial land use regulation powers of each of the municipalities in Mecklenburg County." Amends GS 160-181.2 to make clear section does not apply to municipalities in Mecklenburg County. Amends GS 160-226 to provide no municipality in Mecklenburg County may enact any ordinance regulating platting and recording of any subdivision of land except for land within corporate limits of that municipality. Effective Jan. 1, 1972.

S 879 Goldsboro schl. bond election
Introducer: Strickland

WAYNE
Sent to LOC GOVT

"To authorize the issuance of school building bonds and notes in behalf of the Goldsboro City School Administrative Unit as a special bond tax unit and the levy of taxes within such unit for the payment of the principal and the interest of such bonds and notes." Authorizes election on above bond issue upon receipt of petition signed by 10% voters or resolution of Bd. County Comm'rs. Sets forth procedure for issuing bonds and levying tax if approved by voters.

HOUSE

H 1411 Public franchises
Introducers: Miller, Whichard, and Royall

DURHAM
Sent to LOC GOVT

"To amend Section 33, Chapter 142, Private Laws 1921, it being Section 33 of the Charter of the City of Durham, relating to the maximum period for which franchises, leases and other rights to use public property may be granted." As title indicates, raises period from 30 to 60 years.

H 1412 Randleman ABC profits
Introducer: Ingram

RANDOLPH
Sent to LOC GOVT

"Dealing with the division of ABC profits for the city of Randleman." Amends Sec. 5 of Ch. 168, SL 1965 by transferring 5% of ABC profits from "law enforcement and rehabilitation of alcoholics" to city of Randleman general fund, to be used for capital improvements or operating expenses in connection with the Police Department.

H 1413 Randleman-conveyance
Introducer: Ingram

RANDOLPH
Sent to LOC GOVT

"To authorize the City of Randleman to convey certain lands for the purpose of reconveyance to the city with certain restrictions unintentionally omitted in the original conveyance." Authorizes city to reconvey lands described in bill so Chamber of Commerce may execute and deliver to city another deed to same property containing certain restrictions.

H 1419 Tax collection consolidation
Introducer: G. Rountree

NEW HANOVER
Sent to LOC GOVT

"To authorize the County of New Hanover and municipal corporations located therein to provide for the consolidation of tax listing and tax collection." Provides for consolidation of functions of listing, supervising and collecting taxes and assessments by City of Wilmington, Town of Wrightsville Beach, Town of Carolina Beach, Town of Kure Beach, and County of New Hanover, pursuant to written contract between respective governing bodies. Expressly modifies GS 105-349(a) as contained in H 169, SL 1971 (Machinery Act).

H 1421 Charlotte Charter-retiree insur.
Introducers: Vogler, Beatty, Campbell, Cobb,
Foley, Hicks and Lawing

MECKLENBURG
Sent to LOC GOVT

"To amend Chapter 713 of the Session Laws of 1965, being the Charter of the City of Charlotte in Mecklenburg County." Adds to Sec. 4.42, Ch. IV C., of Ch. 713, 1965 SL provision that authorizes City Council to appropriate funds to provide group insurance benefits for retired employees.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 420 Oil pollution, utility sites (Iden. H. 685) (digested in Bulletin No. 64, p. 490)
Committee Substitute adopted in Senate 6/24/71 deletes all provisions dealing with GS Ch. 143. Retains changes in original bill affecting GS 113-378, -380, -382, -391, and deletes all else. Effective July 1, 1971.

- S 446 Uniform crime reporting system (digested in Bulletin No. 68, p. 526)
Amendments adopted in Senate 6/24/71 make following changes: (1) provide superior court judge may issue writ of mandamus to enforce compliance with provisions of Article (originally, local law enforcement official could be amerced \$200 on motion of AG for failure to furnish required information); and (2) make several non-substantive changes in wording.
- S 503 Adopted child birth certificate (digested in Bulletin No. 76, p. 610)
Committee Substitute adopted in Senate 6/24/71 strikes provision of original bill and provides for issuance of new birth certificate to Mary Katherine Young of Wake County as adopted daughter of Hugh M. and Mary Hayes Young.
- S 598 Corporation Act Amendments (digested in Bulletin No. 86, p. 719)
Amendments adopted in Senate delete proposed rewrite of G.S. 55-14(e) last sentence, and delete proposed new GS 55-29(c) approving telephone conference calls.
- S 638 Auto insur. class 260 Plan (Iden. H 1000, digested in Bulletin No. 91, p. 777)
Amendment adopted in House 6/24/71 requires Insur. Comm'r in establishing plan first to establish common basic annual premium for all motorists affected by plan, such premium to be without regard to race, age, sex, geographic area of residence within State, occupation or marital status.
- S 725 Variable annuities salesmen (Iden. H 958; digested in Bulletin No. 87, p. 736)
Committee Substitute adopted in Senate 6/24/71 strikes all of original bill's amendment of GS 58-79.2(r) and adds to GS 78-19 ("Dealers and salesmen; registration") provision that persons who are licensed agents of NC life insurance companies shall register as salesmen under section but need not be employees or representatives of a registered securities dealer, and that such registration shall entitle the persons to sell only variable annuity contracts and shall not extend to the sale of any other securities in NC.

HOUSE BILLS

- H 409 Waste Discharge Reporting Act (digested in Bulletin No. 41, p. 294)
Committee Substitute adopted in House makes following major changes:
(1) requires every county, city or other public agency operating a waste disposal system to adopt by July 1, 1972, rules governing the discharge of waste to its disposal system, such rules to be at least equivalent to the latest edition of the model ordinance recommended by the Water Pollution Control Federation; (2) technical specificity of reports required by waste dischargers increased; (3) adds exemption section for dischargers of non-toxic wastes under specified conditions.
- H 685 Oil pollution, utility sites (digested in Bulletin No. 64, p. 491)
Committee Substitute adopted in House deletes entire proposed new Art. 53 ("Oil Pollution Control") of GS Ch. 143, and proposed new GS 62-53 ("Environmental controls for utility companies"), leaving only the amendments to GS Ch. 113. Effective July 1, 1971.
- H 750 Animal quarantine procedures (digested in Bulletin No. 69, p. 536)
Amendment adopted in Senate 6/24/71 provides State Veterinarian may petition district court for order permitting examination of animal when owner has refused written request to permit such examination.
- H 863 State gov't reorganization (Iden. S 540; digested in Bulletin No. 80, p. 650; Committee Substitute digested in Bulletin No. 114, p. 1070; amendment digested in Bulletin No. 116, p. 1102)
Amendments adopted in House 6/24/71 correct technical error and require heads of departments have salaries set by Advisory Budget Comm'n until July 1, 1973 at which

time all salaries for heads of departments shall thereafter be set by General Assembly. Add new provision giving any regulatory agency with designated statutory authority, authority to employ, direct and supervise professional and technical personnel; and provide said agency shall make all decisions authorized and directed by statute notwithstanding provisions of act.

H 898 No bear hunting (digested in Bulletin No. 83, p. 687; amendment digested in Bulletin No. 88, p. 749)

Amendment adopted in Senate 6/24/71 makes act effective for period of two years only and expires on July 1, 1973.

H 900 Leg've approval-non-SPA salaries (digested in Bulletin No. 83, p. 686)

Amendment adopted in Senate 6/24/71 provides list of non-SPA positions be submitted not later than 5 (originally, 10) days after ratification of act.

H 978 Plumbing-heating contractors (digested in Bulletin No. 90, p. 762)

Amendment adopted in Senate 6/24/71 deletes requirement applicant for license without examination have paid required State revenue taxes prior to ratification of act.

H 1034 Husband and wife contracts (digested in Bulletin No. 95, p. 819)

Committee Substitute adopted in House rewrites GS 52-8 to include contracts executed prior to January 1, 1970. Does not affect pending litigation.

H 1066 Control of fishing from bridges (digested in Bulletin No. 96, p. 841)

Amendments adopted in Senate 6/24/71 make provisions of bill only applicable to regularly attended draw span bridges, and add provision that authority granted under bill is subject to authority of State Highway Comm'n to prohibit fishing on any bridge in State Highway System.

H 1101 Central Prison-persons under 16 (digested in Bulletin No. 97, p. 855)

Amendment adopted in Senate 6/24/71 clarifies that person under 16 shall not be sentenced to or imprisoned in Central Prison unless stated conditions of bill are met, and specifies previous conviction must have been for felony (originally, criminal offense).

H 1129 General election ballots (digested in Bulletin No. 98, p. 874)

Committee Substitute and amendment thereto adopted in House combine State executive, judicial and legislative ballots into "State ballot" and "State district ballot"; leave color of all ballots up to State Board of Elections; provide that State Board of Elections may prescribe separate ballots for national offices; rewrite GS 163-141, first paragraph, to eliminate proposed prohibition on printing or distribution of sample ballots except by boards of elections. Effective July 1, 1971.

Appropriations Bills Substitutes

S 33 H 53 Budget appropriation (digested in Bulletin No. 7 on unnumbered green pages following p. 46)

Committee Substitutes adopted in House and Senate 6/24/71 increase General Fund appropriation for current operations of State institutions, departments, and agencies for 1971-2 from \$1,071,739,281 to \$1,080,757,239 and for 1972-3 from \$1,139,561,309 to \$1,159,437,784; increase appropriations for current operations of Highway Fund for 1971-2 from \$340,091,942 to \$340,160,942, and leaves appropriation for 1972-3 at \$352,315,265. Makes following changes in original bill (figures not in parentheses represent additions or increases; figures in parentheses represent reductions).

GENERAL FUND

JUDICIAL

	<u>1971-72</u>	<u>1972-73</u>
Judicial Department	\$ 27,980,851	\$ 28,863,305

GENERAL GOVERNMENT

The General Assembly	1,328,638	3,062,813
The Governor's Office	(527,521)	531,072
The Lieutenant Governor	17,346	31,101
Department of Administration	(8,734,604)	(9,225,284)
Department of Local Affairs	(1,027,440)	2,674,186
Department of Personnel	1,019,591	1,050,979
Secretary of State	293,820	275,456
State Auditor	1,315,476	1,423,347
State Treasurer	479,676	508,274
Department of Justice:		
Attorney General	1,370,784	1,408,295
State Bureau of Investigation	(2,245,805)	2,470,544
Department of Revenue	10,637,966	10,936,766
Department of Tax Research	169,269	180,250
Pensions - Widows of Governors	(12,000)	(12,000)
State Board of Elections	(62,274)	(63,972)
North Carolina Capital Planning Commission	(1,000)	(1,000)
Governor's Committee on Employment of the Handicapped	(29,062)	(29,093)

PUBLIC SAFETY AND REGULATION

State Civil Defense Agency	206,780	210,179
Utilities Commission	879,131	912,568
Insurance Department:		
Insurance Department	1,212,322	1,242,492
Department of Labor	1,139,913	1,146,088
Industrial Commission	724,721	734,249
State Board of Alcoholic Control	1,165,196	1,349,952
Department of Agriculture -		
Gasoline and Oil Inspection Service	167,786	165,389

	<u>1971-72</u>	<u>1972-73</u>
CORRECTION		
North Carolina Board of Juvenile Correction:		
General Administration	\$ 191,486	\$ 195,043
Stonewall Jackson Training School	1,079,814	1,110,101
Samarkand Manor	1,065,252	1,087,931
Cameron Morrison School	1,171,661	1,188,195
Richard T. Fountain School	793,896	812,532
State Training Schools for Girls	758,819	776,089
Samuel Leonard School	862,933	891,257
Juvenile Evaluation Center	1,344,236	1,378,727
C. A. Dillon School	573,037	596,098
Department of Correction	(25,874,249)	(27,541,080)
Probation Commission	(3,674,700)	3,699,763
Board of Paroles	1,611,480	1,635,591
SOCIAL SERVICES		
Department of Social Services:		
Department of Social Services	(25,789,824)	(28,263,313)
Child Welfare and Day Care Services	(1,409,133)	(1,436,765)
Medical Assistance Program	25,996,675	(25,856,495)
State Commission for the Blind	2,673,564	2,683,561
Department of Veterans Affairs	875,487	889,353
Junior Order Children's Home	93,000	93,000
Central Orphanage of North Carolina	158,500	158,500
Alexander Schools, Inc.	76,000	76,000
Eliada Homes, Inc.	37,500	37,500
Boys Homes of North Carolina, Inc.	15,000	15,000
Sipe's Orchard Home, Inc.	17,593	17,593
EDUCATION		
Department of Public Instruction	1,740,984	1,763,979
State Board of Education:		
Nine Months School Fund	(486,852,061)	(508,947,491)
State Board of Education	(1,420,480)	(1,499,859)
Occupational Education	24,091,839	25,260,664
Purchase of Free Textbooks	7,677,546	(8,400,418)
Vocational Textile School	172,909	179,421
Division of School Planning	345,254	345,567
Vocational Rehabilitation	2,251,236	2,631,344
Program of Education by Television	151,929	153,742
Advancement School	792,091	806,505
School Food Service	1,007,577	1,009,244
Professional Improvement of Teachers	620,783	621,398
Planning, Research and Development	382,825	385,241
Financial Assistance to Hospital		
Programs of Nursing Education	380,100	361,200
Department of Community Colleges	50,160,147	56,851,763
Department of Community Colleges -		
Equipment	5,998,929	
State Board of Higher Education:		
State Board of Higher Education	1,783,163	1,804,522
Department of Administration:		
Higher Education - Reserve for		
Special Programs	950,000	750,000
University of North Carolina (Consolidated):		
General Administration	1,964,156	2,019,762

	<u>1971-72</u>	<u>1972-73</u>
University of North Carolina at Chapel Hill:		
a. University of North Carolina at Chapel Hill	\$ 27,995,490	(\$ 28,629,560)
b. Division of Health Affairs	14,442,365	16,229,517
North Carolina State University at Raleigh	23,727,419	(24,569,736)
University of North Carolina at Greensboro	9,813,813	(10,235,746)
University of North Carolina at Charlotte	5,745,348	6,528,408
University of North Carolina at Asheville	1,668,118	(1,680,987)
University of North Carolina at Wilmington	(2,318,772)	2,458,588
East Carolina University	12,264,799	12,558,317
North Carolina Agricultural and Technical State University	5,098,972	(5,214,395)
Western Carolina University	6,086,311	6,615,696
Appalachian State University	7,305,849	8,269,663
Pembroke State University	(2,137,381)	(2,176,244)
Winston-Salem State University	2,202,095	(2,163,171)
Elizabeth City State University	1,848,451	(1,879,189)
Fayetteville State University	(1,897,152)	(1,939,143)
North Carolina Central University	4,675,920	(4,763,849)
North Carolina School of the Arts	(1,385,227)	(1,365,236)
North Carolina Board of Science and Technology	502,349	506,938
North Carolina School for the Deaf	2,513,684	2,660,158
Eastern North Carolina School for the Deaf	1,771,330	1,905,073
The Governor Morehead School	(1,801,592)	(1,842,898)
Department of Archives and History	1,476,342	1,508,608
Tryon Palace-Department of Archives and History	176,856	181,651
State Library:		
Library	741,075	753,600
State Aid to Public Libraries	2,089,027	2,091,632
North Carolina Museum of Art	578,053	582,806
HEALTH AND HOSPITALS		
State Board of Health	10,762,571	11,398,913
Medical Care Commission	259,272	263,138
University of North Carolina - Memorial Hospital	(8,458,127)	(8,457,987)
Department of Mental Health:		
General Administration	9,015,730	9,061,229
Alcoholic Rehabilitation Center-Black Mountain	749,730	764,331
Alcoholic Rehabilitation Center-Butner	751,827	766,034
Walter B. Jones Alcoholic Rehabilitation Center - Greenville	745,573	782,935
Dorothea Dix Hospital	10,960,722	10,958,823
Broughton Hospital	8,434,800	8,717,080
Western Carolina Center	5,677,798	6,039,150
Cherry Hospital	9,627,536	9,929,167
O'Berry Center	5,309,923	5,386,268
John Umstead Hospital	7,160,218	7,347,368

	<u>1971-72</u>	<u>1972-73</u>
Murdoch Center	\$ 7,232,091	\$ 7,515,085
Caswell Center	6,904,876	7,053,683
Wright School	262,070	271,073
North Carolina Orthopedic Hospital	864,796	880,540
North Carolina Cerebral Palsy Hospital	421,893	425,942
North Carolina Sanatorium System:		
General Administration	97,198	98,335
North Carolina Sanatorium	2,053,960	2,109,933
Western North Carolina Sanatorium	1,892,747	1,920,482
Eastern North Carolina Sanatorium	2,436,031	2,543,047
Gravely Sanatorium	994,245	1,005,452
RESOURCE DEVELOPMENT AND PRESERVATION		
Department of Conservation and Development:		
Department of Conservation and Development	9,840,675	9,933,636
Kerr Reservoir Development		
Commission-Nutbush Conservation Area	120,657	113,459
Department of Water and Air Resources	1,848,752	1,914,989
North Carolina National Park, Parkway		
and Forests Development Commission	12,175	12,193
Industrial Extension Service-North Carolina		
State University at Raleigh	487,741	500,596
Rural Electrification Authority	109,565	111,542
AGRICULTURE		
Department of Agriculture	6,018,882	6,241,648
Agricultural Experiment Station -		
North Carolina State University at Raleigh	7,276,345	7,572,745
Cooperative Agricultural Extension Service-		
North Carolina State University at Raleigh	6,139,123	6,428,171
State Soil and Water Conservation		
Committee	301,474	303,063
RESERVES		
Contingency and Emergency:		
To provide for contingency and emergency expenditures for any purpose authorized by law for which no specific appropriation has been made, or for which inadvertently an insufficient appropriation has been made. Allotments are to be made from this appropriation under the provisions of G.S. 143-12, or such other statutes as may be applicable	2,000,000	(1,500,000)
Salary Increases of State		
Employees Subject to the		
Personnel Act and Administrative		
Personnel of the Judicial Department	16,522,460	(23,872,980)
Reserve for Social Security	196,900	3,503,100
Teachers' and State Employees' Retirement System:		
Reserve for Hospitalization-Medical Insurance and Disability Salary Continuation Benefits		16,090,776

HIGHWAY FUND

PUBLIC SAFETY AND REGULATION

	<u>1971-72</u>	<u>1972-73</u>
Department of Motor Vehicles	\$ 28,153,110	\$ 30,150,461
Gasoline and Oil Inspection		
Service (Department of Agriculture)	499,759	493,542

HIGHWAYS

State Highway Commission:

General Administration	3,979,397	3,989,956
Engineering Administration and Supervision	8,701,065	8,626,211
State Maintenance and Construction:		
a. Primary System	(80,657,955)	(81,646,326)
d. Public Service Roads	2,206,000	

RESERVES

Teachers' and State Employees' Retirement System:

Hospitalization - Medical Insurance and		
Disability Salary Continuation Benefits--		
Highway Fund Employees		2,206,152
Reserve for Social Security	17,660	170,302

Changes in Special Provisions

Establishes payment scale for payment of medical services under Medicaid. States intent of act that State pay 90% and counties pay 10% of non-federal costs of services under Medicaid Program. States intent of act that all divisions of Dep't of Local Affairs except Div. of Human Res. be transferred to Dep't of C & D, and that Div. of Human Res. be transferred to Dep't of Social Services. States intent of act that funds allocated to Bd. of Ed. for Public Kindergarten Program be given first priority to continuation of State or Elementary and Secondary Education Act of 1965. States intent of act that Dir. of Budget authorize employment of personnel for Probation Comm'n and that ratio of probationers to probation officers not drop below 80 to 1. States intent of act to establish adequate level of direct patient care in each of the mental institutions. Upon recommendations of Bd. of Higher Ed., Dir. of Budget to transfer operating funds from institution experiencing under-enrollment to institution experiencing over-enrollment. (Institutions include regional univs., campuses of UNC and School of the Arts.) Authorizes Dir. of Budget to permit use of unexpended 1971-72 funds from non-salary line items in affected budgets for purchase of initial inventories and equipment for central services revolving funds. Authorizes Dir. of Budget, upon recommendation of Bd. of Higher Ed. and approval of Adv. Budget Comm'n to disburse funds to establish medical clinical clerkships and house staff rotations in rural areas.

Changes in Salary Provisions

Prescribes following salaries: (1) Chief Justice, \$34,000; (2) Associate Justices, \$33,000; (3) Chief Judge, Ct. App., \$31,500; (4) Judges of Ct. App., \$30,000; (5) Superior Ct. judges, \$25,000; (6) chief judges of dist. ct., \$20,500; (7) dist. ct. judges, \$19,500; (8) solicitors, \$23,000; (9) ass't solicitors, average \$14,500; (10) Admin. Officer of Cts., \$27,500; (11) Ass't Admin. Officer of Cts., \$20,000.

S 34 H 54 Capital appropriation (digested in Bulletin No. 7 on unnumbered green pages following p. 46)

Committee Substitutes adopted in House and Senate 6/24/71 decrease General Fund appropriation for capital improvements projects for use of State institutions, dep'ts, and agencies from \$69,699,393 to \$55,785,343, decreases Highway Fund appropriation from \$4,166,293 to \$4,097,293, and leaves the Wildlife Resources Fund appropriation unchanged. Make following changes in original bill (figures not in parentheses represent increases or additions; figures in parentheses represent reductions).

GENERAL FUND

GENERAL GOVERNMENT

Department of Administration			(\$ 7,763,000)
New State Office Building			
Pre-Planning		\$ 200,000	
State Archives Annex			
Building	\$1,405,000		
Fixed Equipment	200,000		
Movable Equipment	<u>30,000</u>	1,635,000	
General Renovation and			
Repairs to State Buildings		(500,000)	
Purchase of Land, Capitol			
Area and Institutional		(3,615,000)	
Museum Art Supplement		(1,000,000)	

PUBLIC SAFETY AND REGULATIONS

North Carolina Armory Commission			(218,813)
Fencing at Armories	44,000		
Less Federal Funds	<u>33,000</u>	11,000	
Detection Systems			
at Armories	161,500		
Less Federal Funds	<u>121,000</u>	<u>40,500</u>	

CORRECTION

Stonewall Jackson School			(112,500)
Samarkand Manor			(379,000)
Cameron Morrison School			(99,000)
Juvenile Evaluation Center			(195,000)

EDUCATION

State Board of Education			
Department of Community Colleges			3,000,000
Community Colleges and			
Technical Institutes		<u>3,000,000</u>	
UNC at Chapel Hill-Health Affairs			(3,517,500)
Utilities and Site			
Improvements		(2,052,500)	
Renovate Ground, 1st and 2nd			
Floors, Memorial Hospital	(500,000)		
Fixed Equipment	250,000		
Movable Equipment	<u>155,000</u>	905,000	
Renovate 1st Floor Clinic			
Building, Memorial Hospital	250,000		
Movable Equipment	(50,000)	300,000	

UNC at Chapel Hill-Academic Affairs		(742,000)
Utilities, Site Improvements, and General Building Repairs	(742,000)	
UNC at Asheville		(17,000)
East Carolina University		(158,000)
N. C. Agricultural and Technical State University		2,015,000
Renovate Scott Hall, Phase I	<u>500,000</u>	
Appalachian State University		2,282,500
Renovate Appalachian Elementary School Building	725,000	
Less Self-Liquidating Water Supply System Supplement	<u>600,000</u>	125,000
	<u>1,225,000</u>	
Pembroke State University		(432,000)
Winston-Salem State University		(600,000)
Elizabeth City State University		(1,016,500)
Health and Physical Education Building	1,535,000	
Fixed Equipment	70,000	
Movable Equipment	<u>90,000</u>	
Subtotal	1,695,000	
Less Federal Funds	<u>1,186,500</u>	<u>508,500</u>
North Carolina Central University		(470,000)
North Carolina School of the Arts		(134,900)
Governor Morehead School		(140,000)
Central North Carolina School for the Deaf		4,690,000
School for Deaf	4,315,000	
Fixed Equipment	145,000	
Movable Equipment	<u>230,000</u>	<u>4,690,000</u>
North Carolina School for the Deaf		(961,000)
Increase Fuel Oil Storage Capacity	<u>15,000</u>	
Department of Archives and History		(50,000)
Messanine Floor Exhibits - Museum of History	<u>50,000</u>	
HEALTH AND HOSPITALS		
Dorothea Dix Hospital		(1,044,500)
Distribution Center for Laundry	<u>137,500</u>	
Broughton Hospital		(1,070,000)
Finish Ground Floor and Air Condition Chapel	77,000	
Fixed Equipment	10,000	
Movable Equipment	<u>3,000</u>	90,000
Western Carolina Center		(332,000)
Cherry Hospital		(1,243,000)
Renovate Richardson Building	845,000	
Fixed Equipment	28,000	
Movable Equipment	<u>40,000</u>	913,000
Tuck-point six Buildings		<u>80,000</u>

O'Berry Center		(746,700)
Safety Fence and Entrance	19,700	
Murdoch Center		(1,643,500)
Caswell Center		1,779,000
Milking Barn Facility	38,000	
Fixed Equipment	<u>22,000</u>	
	60,000	
Wright School		52,000
Renovate Existing Building	<u>52,000</u>	
RESOURCE DEVELOPMENT AND PRESERVATION		
State Ports Authority		3,350,000
Open Dock - Morehead City	<u>3,150,000</u>	
<u>AGRICULTURE</u>		
Department of Agriculture		(1,135,000)
N. C. State University-		
Agricultural Experiment		
Station		(900,000)

HIGHWAY FUND

PUBLIC SAFETY AND REGULATIONS		
Department of Motor Vehicles		(1,267,000)
Office Building-Rutherford County	135,500	
Movable Equipment	<u>5,000</u>	140,500
Office Building,		
Monroe	135,500	
Movable Equipment	<u>5,000</u>	<u>140,500</u>

Three million dollar appropriation in Sec. 4 of bill as supplement to previous appropriation for new Art Museum Bldg. reduced to \$1,000,000.

S 35 55 Non-voted capital bonds (digested in Bulletin No. 7 on unnumbered green pages following p. 46)

Committee Substitutes adopted in House and Senate 6/24/71 decreases total amount of bonds from \$45,998,000 to 45,996,500, making changes indicated below (figures not in parentheses represent additions or increases; figures in parentheses represent reductions):

GENERAL GOVERNMENT

Department of Administration			(\$ 3,055,000)
Air Condition and Renovate Old Revenue Building		\$ 1,650,000	
Textbook, General Warehouse, and and Motor Pool Facility	\$ 1,690,000		
Fixed Equipment	50,000		
Movable Equipment	<u>80,000</u>	1,820,000	
Less Self-Liquidating		<u>415,000</u>	
		1,405,000	

CORRECTION

Department of Juvenile Correction			2,310,000
Stonewall Jackson School			
One Cottage for 50 Students	442,500		
Fixed Equipment	5,000		
Movable Equipment	<u>25,000</u>	472,500	
Samarkand Manor			
Extension of Electrical Distribution System and Street Lights Utilities		120,000	
Cameron Morrison School			
Cafeteria	388,000		
Fixed Equipment	80,000		
Movable Equipment	<u>30,000</u>	498,000	
Juvenile Evaluation Center			
Three Cottages to House 48 Students			
Each Cottages	1,170,000		
Movable Equipment	<u>50,000</u>	1,220,000	

EDUCATION

N. C. State University			(4,255,000)
UNC at Greensboro			(5,965,000)
Administration Building	1,650,000		
Movable Equipment	<u>75,000</u>	1,725,000	
East Carolina University			4,410,000
Renovation of Wahl-Coates School	1,040,000		
Fixed Equipment	210,000		
Movable Equipment	<u>60,000</u>	1,310,000	
North Carolina Agricultural and Technical State University			(3,400,000)
Physical and Health Education Bldg.	3,125,000		
Fixed Equipment	75,000		
Movable Equipment	<u>200,000</u>	3,400,000	
Elizabeth City State University			763,000
Renovate Butler Hall	250,000		
Fixed Equipment	10,000		
Movable Equipment	<u>35,000</u>	295,000	

Renovate Lester Hall	\$ 195,000		
Fixed Equipment	25,000		
Movable Equipment	<u>15,000</u>	\$ 235,000	
Renovate Bias Hall	200,000		
Fixed Equipment	15,000		
Movable Equipment	<u>18,000</u>	233,000	
North Carolina Central University			\$ 4,445,000
Communications Building	1,980,000		
Fixed Equipment	170,000		
Movable Equipment	<u>70,000</u>	2,220,000	
Less 1969 Appropriations		<u>200,000</u>	
		2,020,000	
Department of Archives and History			230,000
Visitor Center-Historic Halifax	190,000		
Fixed Equipment	35,000		
Movable Equipment	<u>5,000</u>	230,000	
HEALTH AND HOSPITALS			
Dorothea Dix Hospital			2,000,000
Central Neuro-Medical Surgical Facility		2,000,000	
Cherry Hospital			1,533,000
Renovate one U-Shaped Dormitory	1,455,000		
Fixed Equipment	28,000		
Movable Equipment	<u>50,000</u>	1,533,000	

SENATE AND HOUSE

CALENDAR ACTION

JUN.24,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 33 BUDGET APPROPRIATION.(6/24) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
S. 34 CAPITAL APPROPRIATION.(6/24) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
S. 35 NON-VOTED CAPITAL.(6/24) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
S. 83 CRIMINAL COURT COSTS. S-REPTD FAV AS AMENDED.
S. 107 LIQUOR LAW REVISION.(3/24, 3/25) H-REPTD FAV AS AMENDED; H-RE-REF COM ON FINANCE.
#S. 194 CHILD PLACEMENT SPONSORS.(3/24, 4/02) H-REPTD UNFAV.
S. 195 LIVESTOCK LAW REWRITE.(3/25, 6/07) H-REPTD FAV.
#S. 269 SCHOLARSHIPS,POLICE DEPENDENTS.(5/19) H-REPTD UNFAV.
S. 274 POLICE OFFICERS,DEATH BENEFITS.(6/11, 6/14) H-REPTD FAV AS AMENDED.
#S. 286 PHOTOGRAPHING DEFENDANTS.(6/09, 6/14) H-REPTD UNFAV.
S. 287 DRUG VEHICLE FORFEITURE.(6/21) H-REC FROM SENATE; H-REF TO COM ON JUDIC 1.
S. 382 DISORDERLY CONDUCT.(5/19, 6/18) S-CONCURRED IN H AMEND.
S. 420 OIL POLLUTION-UTILITY SITES.(6/24) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
S. 428 VISUAL ENVIRONMENT CONTROLS.(6/23) S-PLACED ON CAL JUNE 29.
S. 445 NC PESTICIDE LAW OF 1971.(6/16) S-PASSED 3RD READING.
S. 446 UNIFORM CRIME REPORTING SYSTEM.(6/24) S-COM AMENDS ADOPTED; S-PASSED 2ND & 3RD READING.
S. 487 PATROLMEN'S EQUIPMENT-DISPOSITION.(6/18) S-CONCURRED IN H AMEND.
S. 502 AMENDING ANATOMICAL GIFT ACT.(6/22) H-REC FROM SENATE; H-REF TO COM ON HEALTH.
S. 503 ADOPTED CHILD BIRTH CERTIFICATE.(6/24) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
#S. 550 ENG. AND LAND SURVEY LAW REWRITE.(6/07, 6/23) S-FAILED 3RD READING.
S. 552 NONPAYMENT INSUR. ADVANCES. H-REPTD FAV.
S. 572 CAUSE OF ACTION ACCRUAL.(5/20) H-REPTD FAV AS AMENDED.
S. 579 TRANSFER OF RECORDED SOUNDS. H-PLACED CAL FOR JUNE 29.
S. 583 AMENDING NON-PROFIT CORP. ACT.(6/23) S-PASSED 2ND READING.
S. 586 DIVORCE VALIDATIONS. H-REPTD FAV.
S. 595 TECHNICAL CORRECTIONS-GEN. STATS..(6/15) H-REPTD FAV.

- S. 598 CORPORATION ACT AMENDMENTS.(6/24) S-COM AMENDS ADOPTED;
S-PASSED 2ND READING.
- #S. 599 TELEGRAPH ARRESTS-WARRANTS.(6/04, 6/07, 6/08) H-REPTD UNFAV.
- S. 621 LIMITED DRIVING-OLD CONVICTIONS. H-REPTD FAV AS AMENDED.
- S. 623 INCORPORATE CITY IN SANIT. DIST.. H-REPTD FAV.
- S. 638 AUTO INSUR. CLASS. 260 PLAN.(6/24) H-FLOOR AMEND ADOPTED;
H-PASSED 2ND & 3RD READING.
- S. 640 INSOLVENT INSURER GUARANTY ASSOC..(6/17) S-CONCURRED IN H
AMEND.
- S. 641 BALD HEAD DEVELOPMENT. S-PLACED ON CAL JUNE 30.
- S. 655 PORK PRICING STUDY COMM'N. H-REPTD FAV.
- S. 657 BUILDING CODE CLARIFICATION.(6/18, 6/22) H-REC FROM SENATE;
H-REF TO COM ON JUDIC 1.
- S. 661 HIGHWAY COMMISSION LEGAL COUNSEL. H-REPTD FAV.
- S. 662 HIGHWAY RELOCATION ASSISTANCE. H-REPTD FAV.
- S. 663 CONDEMNATION FOR PARKWAYS. H-REPTD FAV.
- S. 665 HIGHWAY DISTRICT CAMP SITES. H-REPTD FAV.
- S. 668 HIGHWAY CONST. CONTRACTS AND BONDS.(6/23) S-PASSED 3RD
READING.
- S. 675 DENTISTRY LAW REVISION. S-REPTD FAV AS AMENDED.
- S. 676 DENTAL HYGIENE LAW REVISION. S-REPTD FAV AS AMENDED.
- S. 678 ESCHEAT PENALTY. S-PLACED ON CAL JUNE 25.
- S. 679 ESCHEAT REPORTS. S-PLACED ON CAL JUNE 25.
- S. 680 ESCHEAT, STATUTE OF LIMITATIONS. S-REPTD FAV AS AMENDED.
- S. 681 ESCHEAT LAW REVISION. S-PLACED ON CAL JUNE 25.
- S. 682 ESCHEAT-FEDERAL COURT. S-PLACED ON CAL JUNE 25.
- S. 687 DIVORCE ACTIONS-FINDINGS OF FACT. S-REPTD FAV AS AMENDED.
- S. 708 INDEXING CROP LIEN-PROPERTY OWNER. H-REPTD FAV.
- #S. 711 JUDGMENTS IN DIVORCE ACTIONS.(6/14) H-REPTD UNFAV.
- S. 725 VARIABLE ANNUITIES SALESMEN.(6/24) S-REPTD FAV COM
SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
- S. 734 REVISE PRIVATE DETECTIVE LAW. S-PASSED 3RD READING.
- S. 736 JUVENILE COURT CHANGES. S-REPTD FAV AS AMENDED.
- S. 748 LICENSE AUTO DAMAGE APPRAISERS. S-PASSED 3RD READING.
- S. 750 ADVERTISING SALE OF SUBDIVISIONS. S-REPTD FAV.
- S. 757 CONTROL OF BIOLOGICAL RESIDUES.(6/14) H-REPTD FAV.
- S. 784 SPOILED SHELLFISH SEIZURE. H-REPTD FAV.
- S. 790 SCHOOL COUNSELOR-PRIVILEGED COMM.. S-REPTD FAV.
- S. 805 JUDGE ELECTION DATE. S-PASSED 2ND & 3RD READING.
- S. 807 GAS STATION ATTENDANTS REQUIRED-2. S-PLACED ON CAL JUNE 29.
- S. 812 PUBLIC HEALTH SERVICES-STUDY COMM'N. S-REPTD FAV.
- S. 813 INSUR. PREMIUM FINANCING. S-REPTD FAV.
- S. 819 LEGIS. BLDG. GOV. COMM'N. H-REC FROM SENATE; H-REF TO COM ON
RULES.
- S. 823 CREDIT FRAUDS. S-REPTD FAV.
- S. 832 ASS'T SCHOOL SUPT CONTRACTS. S-REPTD FAV.
- S. 833 ROLE OF NURSES STUDY COMM'N. S-REPTD FAV.
- S. 844 CONFORMING GS CH. 23 WITH GS CH. 7A. S-REPTD FAV.
- S. 850 VALIDATING CORPORATE CONVEYANCES. S-REPTD FAV.
- S. 856 BDS. OF EDUCATION CONTRACTS. S-REPTD FAV.
- S. 859 AMEND CH. 508, 1971 SL. S-REPTD FAV.

- S. 862 POWER PLANT SITING. S-REPTD FAV AS AMENDED.
- #H. 4 CAMPAIGN CONTRIBUTIONS, EXPENSES. (4/01, 4/08) H-REPTD UNFAV.
H. 53 BUDGET APPROPRIATION. (6/24) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
H. 54 CAPITAL APPROPRIATION. (6/24) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
H. 55 NON-VOTED CAPITAL. (6/24) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
#H. 82 AUTO INSURANCE RATES, AGE-1. H-FAILED 2ND READING.
#H. 83 AUTO INSURANCE RATES, AGE-2. H-FAILED 2ND READING.
H. 93 SECURE LOADS ON TRUCKS. (3/09, 3/11, 6/17) H-REPTD FAV.
H. 169 MACHINERY ACT OF 1971. (6/16, 6/22, 6/23) S-REC FROM HOUSE; S-REF TO COM ON FINANCE.
#H. 379 POLL BOOKS IN ALL PRECINCTS. H-REPTD UNFAV.
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H. 436 HEARING AID BOARD REPEAL. H-REPTD FAV.
#H. 468 REGULATING SUBDIVISION SALES. (6/22) RATIFIED CH. 666.
#H. 535 SHOOTING OR THROWING AT VEHICLES. H-REPTD UNFAV.
#H. 537 PRE-ARREST BREATH TEST. H-REPTD UNFAV.
H. 577 ARREST OF TRAMPS. S-REPTD FAV.
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H. 685 OIL POLLUTION-UTILITY SITES. (6/24) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
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H. 736 US CONST.-RATIFY 18 YR. AMEND.-2. S-PLACED ON CAL JUNE 25.
H. 750 ANIMAL QUARANTINE PROCEDURES. (6/24) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
#H. 790 BLOOD TRANSFUSIONS, CONTAINERS. H-REPTD UNFAV.
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H. 863 STATE GOV'T REORGANIZATION. (6/21, 6/23, 6/24) H-FLOOR AMENDS ADOPTED; H-PASSED 3RD READING.
H. 892 DEFACING HIGHWAY SIGNS. (6/10) S-PASSED 2ND & 3RD READING.
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H. 908 INS. RATE APPEALS TO CT. OF APPS.. S-REPTD FAV.
H. 921 ENLARGING CITY SCHOOL ADM. UNITS. S-PASSED 2ND & 3RD READING.
H. 928 TRANSFER OF RECORDED SOUNDS. H-PLACED CAL FOR JUNE 29.
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H. 940 CURB SIDE VOTING-DISABLED. (6/11, 6/17) S-PASSED 2ND READING; S-PLACED ON CAL JUNE 29.
H. 942 EMPLOYMENT SECURITY LAW CHANGES. (5/21, 5/24, 6/18) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
H. 944 NAME CHANGE-GOOD NEIGHBOR COUNCIL. S-PASSED 2ND & 3RD READING.
#H. 956 ANTI-DISCRIMINATION ORDINANCES. H-REPTD UNFAV.

- H. 960 BARBER'S FEES. H-RECONSID 3RD & 2ND RDNGS; PASSED 2ND READING.
- H. 967 PLEDGE TO PARTY NOMINEES. S-PASSED 2ND & 3RD READING.
- H. 978 PLUMBING-HEATING CONTRACTORS.(6/24) S-COM AMEND ADOPTED;
S-PLACED ON CAL JUNE 25.
- #H. 980 UNITED FUND-STATE WITHHOLDING. H-REPTD UNFAV.
- H. 985 CONFORM GS 115 TO CONSTITUTION.(6/14) S-REPTD FAV.
- H.1001 GIFTS TO MINORS CHANGES. H-REPTD FAV AS AMENDED.
- H.1012 (J.RES.) PRIVATE CHILD-CARE FUNDS, S-PASSED 2ND READING.
- H.1034 HUSBAND AND WIFE CONTRACTS.(6/24) H-REPTD FAV COM SUBSTITUTE;
H-COM SUBSTITUTE ADOPTED.
- H.1036 DISEASED ANIMALS RUNNING AT LARGE. S-PASSED 2ND & 3RD
READING.
- H.1042 DENTISTRY LAW REVISION.(6/04) S-PLACED ON CAL JULY 1.
- H.1043 DENTAL HYGIENE LAW REVISION.(6/04) S-PLACED ON CAL JULY 1.
- H.1058 MUNICIPAL BD. OF CONTROL. H-REPTD FAV AS AMENDED.
- H.1066 CONTROL OF FISHING FROM BRIDGES.(6/24) S-COM AMENDS ADOPTED;
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- H.1067 ALCOHOLISM EDUCATION TAX. H-RE-REF COM ON FINANCE.
- H.1101 CENTRAL PRISON-PERSONS UNDER 16.(6/24) S-COM AMEND ADOPTED;
S-PASSED 2ND & 3RD READING.
- H.1109 POULTRY PRODUCTS INSPECTION ACT. S-PASSED 2ND & 3RD READING.
- H.1113 AUTO REGISTRATION TRANSFER. S-PASSED 2ND & 3RD READING.
- H.1122 RECORDATION OF SERVICE DISCHARGE. S-PASSED 2ND & 3RD READING.
- H.1123 MOVING LIVE POULTRY AND LIVESTOCK.(6/09) S-PASSED 2ND & 3RD
READING.
- H.1129 UNIFORM GENERAL ELECTION BALLOTS.(6/24, 6/24) H-REP FAV COM
SUB AS AMEND; H-COM SUBSTITUTE ADOPTED; H-COM AMEND ADOPTED;
H-PLACED CAL FOR JUNE 30.
- H.1160 RECUPERATION CENTER-DEFINITION. H-REPTD FAV.
- #H.1174 MARTIN COUNTY-HUNTING ON HIGHWAYS. H-REPTD UNFAV.
- H.1180 RESTRICT SINGLE SHOT-STATEWIDE. H-REPTD FAV.
- H.1194 LABELING APPLES. H-REPTD FAV.
- H.1236 RECKLESS DRIVING REVOCATION. H-REPTD FAV.
- #H.1237 WILDLIFE COMM'N APPOINTMENTS, H-REPTD UNFAV.
- H.1260 INTERSECTION VIOLATIONS. H-REPTD FAV.
- H.1275 (J.RES.) SEDIMENTATION, POLLUTION STUDY. H-REPTD FAV.
- H.1298 (J.RES.) CONTINUING LOC. GOV'T STUDY COMM'N. H-REPTD FAV.
- H.1305 LIMOUSINE VEHICLE LICENSE. H-REPTD FAV.
- H.1306 TRAFFIC LAWS-STATE HOSPITALS. H-REPTD FAV.
- H.1309 RECORDING FORECLOSURES-INDEXING. H-REPTD FAV.
- H.1318 LICENSING LIVESTOCK DEALERS-2. H-REPTD FAV.
- H.1319 REGIONAL SEWAGE DISPOSAL SYSTEMS. H-REPTD FAV.
- H.1325 SMALL WATERSHED CHANGES. H-REPTD FAV.
- H.1326 (J.RES.) LRC STUDY-REALTY MARKETABILITY. H-REPTD FAV.
- H.1327 MARRIAGE LICENSE RETURN. H-REPTD FAV.
- H.1331 AMEND CHAPTER 423, 1971 SL. H-REPTD FAV.
- #H.1332 FREE OLDSTER BIG GAME HUNT LICENSE. H-REPTD UNFAV.
- H.1346 OPTICIANS NEW PROGRAM STUDY. H-REPTD FAV.
- H.1352 JUVENILE HEARINGS. H-REPTD FAV.
- H.1359 CANNED DOG FOOD LAW. H-REPTD FAV.

- #H.1365 (J.RES.) UNC TRUSTEE ELECTION PROCEDURE.(6/23) RATIFIED RES. 88.
- #H.1368 RESIDENTIAL SPEED LIMIT. H-REPTD UNFAV.
- H.1374 DISSOLVING DIST. HEALTH DEP'TS. H-REPTD FAV.
- #H.1381 (J.RES.) THANKS FOR SEA PLANE. RATIFIED RES. 89.
- H.1388 POWER PLANT SITING. H-REPTD FAV AS AMENDED.
- H.1397 MEDICAL PRACTICE TECHNICAL CHANGES. H-REPTD FAV.
- H.1398 HEALTH FACILITIES. H-REPTD FAV.
- #H.1407 CONTROLLING NON-GAME BIRDS,ANIMALS. H-REPTD UNFAV.

LOCAL BILLS

- #S. 397 (DAVIE) TAX LIEN SALES. H-REPTD UNFAV.
- S. 449 (GUILFORD) HIGH PT. POLICE PENSIONS. H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.
- S. 624 (CASWELL) YANCEYVILLE INCORPORATION.(6/15) H-REPTD FAV.
- S. 730 (HALIFAX) COUNTY COMMISSIONER DISTRICTS. H-REPTD FAV.
- S. 742 (BUNCOMBE) METRO WATER DIST.-CIVIL SERVICE. H-REPTD FAV.
- S. 762 (ROBESON) ST. PAULS CHARTER. H-REPTD FAV.
- S. 771 (YANCEY) RACCOON AND OPOSSUM HUNTING. H-REPTD FAV.
- S. 795 (GUILFORD) HIGH POINT POLICE JURISDICTION. H-REPTD FAV.
- S. 804 (GUILFORD) HIGH POINT CIVIL SERVICE ACT. H-REPTD FAV.
- S. 809 (ROBESON) LUMBERTON SCHOOL BOUNDARIES. H-REPTD FAV.
- S. 828 (HARNETT) DUNN ABC FUND. H-REC FROM SENATE; H-REF TO COM ON LOC GOVT.
- S. 854 (DURHAM) ELECTION OF MERGED SCHOOL BOARD. S-REPTD FAV.
- #H. 684 (DURHAM) NO NUMBERED HOUSE SEATS-18TH DIST.. H-REPTD UNFAV.
- #H. 808 (LINCOLN) INCORPORATING MUNICIPALITIES. H-REPTD UNFAV.
- H. 823 (FORSYTH, MECKLENBURG) PURCHASE PREFAB SCHOOLS.(6/04) S-REPTD FAV; S-PLACED ON CAL JUNE 29.
- H. 898 (BEAUFORT, JONES, ONSLOW, WASHINGTON) NO BEAR HUNTING.(5/14, 6/24) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- H. 970 (NASH) SALES AND USE TAXES.(6/18) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 971 (EDGEcombe) SALES AND USE TAXES.(6/18) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1104 (CATAWBA) HICKORY ANNEXATION.(6/18) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- #H.1130 (GASTON) GASTONIA-FIVE GALL. LIMIT. RATIFIED CH. 667.
- H.1195 (MOORE) INCORPORATE WEST END.(6/21) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1203 (ROBESON) MAXTON CHARTER.(6/18) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1208 (PITT) LEASE OF SCHOOL PROPERTY. S-REPTD FAV.
- H.1251 (EDGEcombe) PRINCEVILLE ANNEXATION.(6/18) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1265 (HAYWOOD) COUNTY AIRPORT AUTHORITY.(6/18) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1271 (ANSON) FINANCE ACT. H-REPTD FAV.

H.1278 (NORTHAMPTON) BOARD OF EDUCATION MEMBERS. H-PASSED 2ND & 3RD READING.
H.1295 (CLEVELAND) FALLSTON CHARTER. H-REPTD FAV.
H.1297 (BUNCOMBE, HENDERSON) ASHEVILLE-HENDERSONVILLE AIRPORT. H-REPTD FAV.
H.1302 (BUNCOMBE) BD. OF TAX SUPERVISION. H-REPTD FAV AS AMENDED.
H.1303 (DAVIDSON) LEXINGTON-RELEASE OF EASEMENT. H-REPTD FAV.
H.1320 (CRAVEN) NEW BERN POLICE DEP'T. H-REPTD FAV.
H.1321 (PERQUIMANS) WINFALL COMM'RS. H-REPTD FAV.
H.1323 (GUILFORD) PRIVATE PARKING LOTS. H-REPTD FAV AS AMENDED.
H.1334 (DURHAM) DURHAM CITY COUNCIL MEETINGS. H-REPTD FAV.
H.1335 (CLEVELAND) EARL STATION CHARTER. H-REPTD FAV.
H.1338 (LINCOLN) INCORPORATING NEW TOWNS. H-REPTD FAV.
H.1344 (CHOWAN) EDENTON STREETS AND SIDEWALKS. H-REPTD FAV.
H.1358 (CLEVELAND) CASAR LIVES AGAIN. H-REPTD FAV.
H.1361 (MOORE) AMEND CHAPTER 279, 1971 SL. H-REPTD FAV.
H.1367 (FORSYTH) SALES TAX REFERENDUM. (6/23) H-PASSED 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON FINANCE.
H.1376 (STANLY) COUNTY TAX COLLECTOR. H-REPTD FAV.
H.1390 (RICHMOND) AMENDING NORMAN'S CHARTER. H-RECONSIDERED 2ND READING; H-PASSED 2ND READING.
H.1400 (NASH) INDUST. DEV. FUNDS. H-REPTD FAV.
H.1405 (NEW HANOVER) COUNTY ACCOUNTANT. H-REPTD FAV.
H.1406 (GUILFORD) GREENSBORO HOUS DEV CL'HOUSE COMM'N. H-REPTD FAV.

Next Session of House: 9:30 a.m., Friday, June 25, 1971.

Next Session of Senate: 9:00 a.m., Friday, June 25, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
P. O. BOX 7294, RALEIGH, N. C.
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BULLETIN NO. 118

-1131-

FRIDAY, JUNE 25, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 880 Elect Utilities Commission
Introducer: Kirby

GS 62, 84
Sent to PUB UTIL

"To rewrite G.S. 62-10 and related statutes to make the Utilities Commission elected by the people." Rewrites GS 62-10 to provide for nomination and election of the 5 members of Comm'n (now, appointed by Gov.) for 8-year terms. Provides vacancy due to term expiring July 1, 1971 to be filled by appointment of Gov. for short term expiring Dec. 31, 1972. Provides for nomination and election of five members at primary and general election in 1972, two for 2-year terms, one for 4-year term, two for 6-year terms, all terms beginning Jan. 1, 1973. Comm'r in office to continue until successor elected and qualifies but holdover not to affect expiration date of succeeding term. On Jan. 1, 1973, Comm'rs shall elect 1 member as chairman for 2-year term (now, appointed by Gov.), thereafter chairman elected for 4-year term beginning Jan. 1, 1975. If chairman's position vacant for any reason, members to elect successor to serve unexpired term. In case of vacancy on Comm'n, require Governor to appoint successor under GS 163-14 to serve unexpired term. Salary of member to be same as superior court judge, except chairman to receive \$1,000 more per year. Rewrites GS 84-2 to include members of Utilities Comm'n in list of officials prohibited from practice of law. Adds new GS 163-14 providing for filling of vacancies on Comm'n by appointment of Gov.

S 881 Interest on agricultural loans
Introducer: Kirby

GS 24
Sent to BANKING

"To permit agricultural loans' maximum interest rates to be the same rates as those set on a periodic basis by the Farm Credit Administration for Federal Land Banks pursuant to 12 USC 831(b)." Adds new GS 24-10.1 to authorize person engaged in farming or livestock operations to agree to pay interest at any rate agreed in writing, provided loan secured by mortgage or deed of trust on realty used in farming or livestock operations of borrower if rate does not exceed interest authorized at time of agreement by Farm Credit Administration under 12 U.S. Code 851 to be charged by federal land banks. Act effective on ratification but not to affect pending litigation or loan made prior to effective date.

S 883 Taxation of accts. receivable-2
Introducer: Gudger

GS 105
Sent to FINANCE

"To amend G.S. 105-201 relating to intangibles tax liability upon accounts receivable." Amends GS 105-201 to provide that indebtedness of securities brokers directly incurred in connection with purchase of stocks, etc., from which they derive accounts receivable under art. may be deducted from total value of such accounts receivable. Effective Jan. 1, 1971.



S 885 St. Gov't reorganization-2
Introducer: Allsbrook

CONSTITUTION
Sent to CONSTITUTION

"To amend Article III of the Constitution of North Carolina as revised and amended in the general election held on November 3, 1970, and as enrolled on December 9, 1970, relating to reorganization of administrative departments of government." Proposes constitutional amendment to be voted on at next general election to repeal the amendment adopted in November, 1970 vesting power in Gov. to reorganize State government, and to fix the number of departments.

S 887 Review of probation
Introducer: Knox

GS 15
Sent to CORRECTN

"To amend G.S. 15-205.1 of the General Statutes relating to mandatory review of probation." Amends GS 15-205.1 to require mandatory review only after probationer has been on probation for three years if period of probation was for more than three years. (Now, review required after one year in certain cases.)

S 889 Elderly indigents funds
Introducer: Scott

APPROPRIATION
Sent to APPROPRIATION

"To appropriate funds to the Department of Social Services for maintenance of elderly indigents in licensed rest homes." As title indicates, appropriates \$413,590 from General Fund for 1971-73 to increase basic rate to \$205 per month and rates for semi-ambulatory residents to \$215 per month and for bed-ridden residents to \$225 per month. Effective July 1, 1971.

HOUSE

H 1425 Compensation of county comm'rs
Introducers: Raynor and others

GS 153
Sent to JUDIC 1

"Relating to the compensation and allowances of county commissioners." Rewrites GS 153-13 to authorize bds. of comm'rs to fix the compensation and allowances of chairmen and members by publication in and adoption of annual budget ordinance, provided public, local or special acts fixing compensation or allowances to remain in force until altered as authorized under act (now, bd. of comm'rs may fix compensation and allowances to be effective following next general election; required to give notice of intent to change in newspaper with general circulation in county at least 10 but not more than 30 days before taking such action; any change to be published 14 days prior to filing deadline for candidates for county office, thereafter no action allowable until newly elected members of bd. sworn in).

H 1426 Domestic goods preference
Introducer: Beatty

GS 143
Sent to ST GOVT

"Requiring state departments to give preference to goods manufactured within the United States." Adds new GS 143-58.1 providing that when two or more competitive bids are received by Dep't of Admin. or other state agency authorized to purchase foodstuffs, products, supplies or other items and one or more of bids relate to items produced within USA, its territories or protectorates, no bid relating to similar items produced outside USA to be accepted.

H 1427 Ass't St. Bd. of Ed. controller
Introducer: Tart

APPROPRIATIONS, GS 115
Sent to APPROPRIATION

"Authorizing the creation of the position of Assistant Controller to the State Board of Education." Authorizes position of "Assistant Controller to the State Board of Education" under direction of said Bd. which may set salary it deems appropriate

not to exceed funding for position and related costs. Appropriates \$51,981 to St. Bd. of Ed. for 1971-73 biennium for position and related expenses.

H 1428 State self-insurer
Introducer: Arnold

GS 58
Sent to ST GOVT

"To abolish compulsory liability insurance for state-owned vehicles and to allow a self-insurance plan in lieu thereof." Repeals GS 58-194.1 and 129-5(9)(i) to abolish compulsory liability insurance for state-owned vehicles and to allow state to be self-insurer as per GS 20-279.33 and GS 20-318. Provides state to be self-insurer on vehicular tort liability as for other tort liability after July 1, 1971. Sums appropriated to state agencies for vehicle liability insurance premiums to be retained by agency and disbursed to pay claims under State Tort Claims Act for liability due to motor vehicle accidents. If state agency does not have sufficient funds to pay claims, agency may make application to Director of Budget for payment from General Fund or for transfer of funds within budget of agency. Any refund or return of premium to be paid to each state agency in proportion to premium payment on 1970-71 policy provided amount received by each state agency to be deposited by it in fund from which claims to be paid. Act not to affect compulsory liability insurance of community colleges or other institutions under GS 115A-17 and 115A-35 (allows bd. of trustees of any community college to waive governmental immunity by obtaining liability insurance and providing for purchase of liability insurance by such institutions). Implementation of self-insurance plan for state to be deemed direct primary insurance for employees acting within the course and scope of their duties.

H 1429 (Joint Resolution) LRC study of teacher
licensing
Introducers: Odom and others

STUDY
Sent to RULES

"Directing the Legislative Research Commission to study professional regulation of teacher licensing and practices." Directs LRC to study creation of board or commission composed of professional educators to regulate preparation, licensing and performance of persons who teach or perform educational duties in the educational institutions of NC and to report findings and recommendations to 1973 General Assembly.

H 1430 Clean water bonds debt service
Introducers: R. Brown and others

APPROPRIATION
Sent to APPROPRN

"To appropriate funds for fiscal year 1972-1973 for debt service of the Clean Water Bond Act of 1971 and to provide that unexpended funds to be used for assistance grants for wastewater treatment works constructed." As title indicates, appropriates \$750,000 from General Fund.

H 1432 Municipal gas systems
Introducer: McMichael

GS 62
Sent to PUB UTIL

"To amend Chapter 62-50 of the General Statutes to provide that municipally owned gas distributions systems shall be under the regulations of the Utilities Commission insofar as safety regulations are concerned." As title indicates, amends GS 62-50(g).

H 1433 Ment. retarded-day care funds
Introducer: Phillips

GS 130
Sent to MENTAL H

"To provide that monies appropriated to the Department of Mental Health to fund grants-in-aid programs providing that day-care and sheltered workshop services to mentally retarded be expended in such a manner as to obtain maximum benefits from

available governmental or private programs." As title indicates, and no eligible person to receive less than \$40 per month grant-in-aid from combination of all funds.

H 1434 (Joint Resolution) Memorializing Weil MISC RES
Introducer: Chase Passed three readings
and sent to Senate

"Honoring the memory of Miss Gertrude Weil." As title indicates.

H 1435 UNC-Asheville funds APPROPRIATION
Introducers: BeBruhl and others Sent to APPROPRN

"To appropriate one million six hundred seventy-five thousand dollars for a social sciences classroom building and repair one wing of Administrative Building on the campus of the University of North Carolina at Asheville." As title indicates.
Effective July 1, 1971.

H 1437 (House Resolution) Thanking Wake delegation MISC RES
Introducer: Andrews Passed three readings

"Expressing appreciations to the Wake County Delegation for handling Saturday sessions." As title indicates.

H 1438 (Joint Resolution) UNC Trustees elect. time MISC RES
Introducer: Andrews Passed three readings and
sent to Senate

"Fixing the time and place for a Joint Session of the Senate and House of Representatives for the election of Trustees of the University of North Carolina."
As title indicates, Joint Session to be held in House Chamber June 30, 1971, at 12:30 PM.

H 1439 City auto license tax increase-2 GS 20
Introducer: Harkins Sent to FINANCE

"To amend G.S. 20-97 to increase from \$1.00 to \$2.00 the maximum automobile license tax which may be levied by municipalities." Amends GS 20-97 as title indicates and adds provision that should municipality levy license tax in excess of \$1.00 per annum, then net proceeds of tax in excess of \$1.00 must be used exclusively for acquisition, construction, improvement and operation of off-street parking facilities.

H 1440 First offender expunction GS 90
Introducers: Campbell and Barker Sent to JUDIC 1

"To provide for conditional discharge and expunction of records in case of first offense violators of the provisions of Articles 5 and 5A of Chapter 90 of the General Statutes." Provides person convicted of first offense of possession under GS Ch. Art. 5 ("Narcotic Drug Act") and 5A ("Barbiturate and Stimulant Drugs") may be placed on probation without entering of judgment of guilt and upon successful completion of probationary period have charges dismissed; and that if person was not over 21 at time of offense all official records of offense (other than confidential file to be retained by NC Dep't of Justice) to be expunged, with person restored to status he held before the law prior to arrest, indictment or information.

LOCAL BILLS INTRODUCED

SENATE

S 882 Deer killing from boats
Introducer: Warren

SAMPSON, GS 113
Sent to WILDLIFE

"Including Sampson County in the provisions of G.S. 113-104 relating to the killing of deer through the use of boats." Amends GS 113-104 and -109(e) as title indicates.

S 884 Fox hunting
Introducer: Frink (by request)

BRUNSWICK, GS 143
Sent to WILDLIFE

"Authorizing the Wildlife Resources Commission to regulate fox hunting in Brunswick County." As title indicates.

S 886 Cary town charter
Introducers: Bailey and Coggins

WAKE
Sent to LOC GOVT

"To revise and consolidate the Charter of the Town of Cary and to repeal prior charter acts." As title indicates, governing body to consist of mayor and 5 councilmen, with 4-year terms. Provides for appointment of town manager by council and sets out his powers; and for town attorney, clerk, treasurer, accountant and engineer. Prescribes municipal election procedures, police power and jurisdiction, street and sidewalk improvements, finance and taxation, water and sewer improvements, and zoning regulations.

S 888 Drive-in movies
Introducers: Harris and Rauch

CLEVELAND
Sent to LOC GOVT

"Authorizing the Board of County Commissioners of Cleveland County to adopt an ordinance under G.S. 153-9(55) regulating the visibility of drive-in theatre motion picture screens to operators of motor vehicles upon the public streets and highways." As title indicates.

HOUSE

H 1431 Raleigh Civic Cntr. Auth.
Introducers: S. Johnson, Twiggs, Wynne,
and R. Farmer

WAKE
Sent to JUDIC 1

"To authorize the creation of the Raleigh Civic Center Authority and to authorize the issuance of bonds for a civic center." Authorizes Raleigh City Council to establish civic center authority to consist of 5 members appointed by council. Authority or City Council may exercise powers of municipal corporations conferred by act or Gen. Stat. relating to construction, maintenance, operation or financing of civic and convention centers or the Council may create an advisory civic center authority to have powers and duties specified by the city council. Council or authority to have power to acquire, construct, establish, operate, maintain a public civic center with related facilities to service civic or sports needs of area with following powers for said purposes: buy and sell real and personal property; make leases and contracts for construction, maintenance, operation of center, for services, materials, furnishings, equipment and as necessary for location, design, construction, equipping and operating center; receive contributions of money, property, or labor from state, federal or local agencies;

to employ personnel; to make rules for management of center; to sue and be sued; to grant leases, licenses and concessions for use at center. City of Raleigh authorized to issue revenue or general obligation bonds under Local Govt. Finance Act for developing center. Raleigh city council authorized to hold election on levying special tax to develop center; election to be held by county bd. of elections according to laws governing election of city officers insofar as applicable; ballot to afford voters chance to vote for or against the tax.

H 1436 Amend Raleigh charter

Introducers: S. Johnson, Twiggs, Wynne,
and R. Farmer

WAKE

Sent to JUDIC 1

"To amend the Charter of the City of Raleigh (Chapter 1184 of the Session Laws of North Carolina, 1949, as amended)." Adds Sec. 22(67) to authorize city to fix the terms and conditions of appointment of members of all commissions, committees and bds. of city regardless of terms established by Gen. Stat. or special act or charter for particular commission, committee or bd. Requires council to establish uniform overlapping terms by ordinance for members of commissions, committees, bds. of city. Adds Sec. 22(68) to authorize city to make such contracts as council desires with municipal corporations, body politic, other governmental agencies, federal agencies concerning services which city authorized to furnish or for services contracting party authorized to furnish. Amends Sec. 95 (providing for the Dep't of Parks and Recreation) to provide that officers and employees of said dep't may include persons appointed to enforce city ordinances or state laws on properties under control of the dep't and giving such employees powers of peace officer when duly appointed and sworn. Deletes certain portions of Sec. 105 (providing city authority for making local improvements in streets, curbs, sewer and water lines, etc.) and rewrites a portion thereof dealing with city authority to make improvements and assess the cost against abutting property owners on property beyond the corporate limits of the city. Rewrites Sec. 105(b) requiring the city council to give 10 days written notice to each property owner to be assessed of a public hearing before an order requiring improvements under Sec. 105(a) without petition as required by Art. IX, GS Ch. 160. Provides assessment against property abutting a residential street may not exceed cost of widening pavement of standard construction to residential width exclusive of curbs and gutters.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 451 Sanitation of farm labor camps (digested in Bulletin No. 69, p. 535; Committee Substitute digested in Bulletin No. 115, p. 1085).

Amendment adopted in Senate 6/25/71 clarifies that openings required for fire exits must be sufficient size to allow human exit, and clarifies certain provisions only applicable when workers required to cook in dwellings by their employer.

S 460 Water, air res.-interest conflict (digested in Bulletin No. 70, p. 546; Committee Substitute digested in Bulletin No. 106, p. 963)

Amendment adopted in House 6/25/71 makes following changes in composition of bd.: (1) provides for one (was, two) member with experience in agriculture; (2) requires 3 (was, 4) members from public at large, (one to have knowledge in field of forestry), and omits separate provision for forester; and (3) omits requirement of one member with experience in water supply and pollution control problems of municipal gov't.

- S 490 Abolishing govt'al immunity (digested in Bulletin No. 75, p. 597; amendment digested in Bulletin No. 110, p. 1007)
Amendments adopted in Senate 6/25/71 limit govt's liability to \$150,000 per claim and clarify that nothing in act can be construed to hold any govt'l official personally liable for negligent acts or omissions of govt'l employee.
- S 674 Occupational deafness, comp. (digested in Bulletin No. 94, p. 811)
Amendment adopted in Senate 6/25/71 changes effective date to Oct. 1, 1971 (originally, July 1, 1971) and clarifies that no benefits shall be payable for loss of hearing if employee fails to regularly utilize employer-provided protection devices, (originally, willful failure required.)
- S 675 Dentistry law revision (Iden. H 1042, digested in Bulletin No. 94, p. 811)
Amendment adopted in Senate 6/25/71 deletes provision exempting bd. members from any civil liability.
- S 676 Dental Hygiene law revision (Iden. H 1043, digested in Bulletin No. 94, p. 811)
Amendment adopted in Senate 6/25/71 corrects technical error.
- S 681 Escheat law revision (digested in Bulletin No. 94, p. 812)
Amendments adopted in Senate 6/25/71 make escheat provisions applicable to uncashed money orders and travelers checks in accordance with procedures set forth in bill. Extends period funds must be left unclaimed as bank deposits, etc. to five years (originally three years) before escheat provisions operate, with exception of unclaimed funds due depositor or stockholder of liquidated bank which requires ten years (originally three) before escheat provisions may be utilized. Deletes provisions setting forth in detail how income from Escheat Fund is to be distributed among universities and colleges.
- S 760 Memorializing Ralph W. Slate (digested in Bulletin No. 105, p. 947)
Amendment adopted in Senate 6/25/71 corrects date of birth of Mr. Slate.

HOUSE BILLS

- H 318 Public drunks, non-criminal (Iden. S 179) (digested in Bulletin No. 32, p. 223)
Committee Substitute adopted in House 6/25/71 completely rewrites original bill, basically retaining provisions on repeal of criminal provisions and assistance of persons intoxicated in public but adding new provisions to coordinate non-criminal public intoxication procedures with compulsory treatment provisions. Specifically, repeals criminal offenses of public drunkenness, GS 14-335, and drunkenness and disorderliness, GS 14-334, and rewrites Article 7A of Chapter 122 (currently, procedures for dealing with chronic alcoholics acquitted under GS 14-335 for reason of alcoholism) to provide following procedures for handling persons found intoxicated in public: (1) intoxicated person can be directed or carried to his or another's residence by peace officer; (2) intoxicated person in public and in need of care may also be transported to a health care facility; (3) if person intoxicated in public is in need of care and leaving him in public would constitute a danger to him or to others, and no other facility is available, he may be taken to jail to stay until he is sober but no longer than 24 hours (with criminal prosecution specifically prohibited); (4) if it is the second time within six months that the person has been found intoxicated in public a presumption is raised that he is suffering from alcoholism, and a magistrate, upon finding that it is the second time and that the person was in fact intoxicated in public this time, may refer the person to an approved facility, where he may be required to stay for care for up to five days from the time he was found intoxicated in public, if he is examined within 24 hours of admission and it is the opinion of the examining physician or nurse that he might be considered an alcoholic; (5) in addition, if it is the second time within six months that the person has been found intoxicated in public, the peace officer who assists him is specifically authorized to file the affidavit required by GS 122-60 to initiate the judicial hospitalization procedures for alcoholics. Sets out procedures

for keeping records of persons who have been found intoxicated in public, limiting their availability to certain authorized persons, and providing that the records may not be used for purposes of action (4) above unless at the time the person was assisted he was taken before a judicial official who verified that there was probable cause to consider him intoxicated in public. Provides for release from short-term care facility (the 5-day stay) at any time physician or nurse is of opinion person is not alcoholic. Provides for notification of family and release to friends or relatives when intoxicated person taken to jail as set out in (3) above. Authorizes local governments to have properly trained and specifically named persons other than peace officers perform functions set out for peace officers in Article, and generally limits civil and criminal liability for those operating under authority of Article. Authorizes expenditures by local governments for facilities for persons found intoxicated in public, and removes requirement of GS 122-35.16 that 50% of grants by Dep't of Mental Health to independent local alcoholism programs be spent on education. Effective Jan. 1, 1972.

H 321 Mixed drinks on premises-2 (digested in Bulletin No. 33, p. 230)

Committee Substitute adopted in House 6/25/71 to eliminate all repeals and rewrites of portions of GS Ch 18 from original bill except that portion adding new Art 14 entitled Mixed Beverages. Adds statement of legislative purpose to control sale of alcoholic beverages in places other than private residences by licensing certain persons to sell same for consumption on premises under uniform system in counties electing to come under Art. as provided by county-wide election. Modifies definition of "mixed beverage" to mean beverage served to individual in sealed miniature container containing 1 6/10 ounces of alcoholic beverage purchased on licensed premise with seal unbroken and consumed there, with licensee mixing the drink after sealed container has been served to purchaser (formerly, in quantity less than quantity contained in closed package purchased for consumption on licensed premises). Redefines "licensed premises" to be place having inside dining area with seating capacity for 36 persons (formerly, 50 persons) and requires premises have permit from State Bd. of Alcoholic Control. Authorizes Bd. to make comprehensive plan for administration, sale and enforcement of mixed beverages by the drink in counties voting to come under Art. and to make rules and regulations in the plan as to qualifications of premises and persons to be licensed, denial or suspension or revocation of license, hearing and appeal procedures, etc. Comprehensive plan to require existence or establishment of ABC bd. with county-wide jurisdiction in every county voting to come under Art. to be in existence before sale of mixed beverages. Purchases by licensees in county under Art. to be made from stores in county with State Bd. to continue its authority over purchasing, warehousing, storage, distribution and withdrawal of alcoholic beverages by county bds. Adds proviso for election in county before sale of mixed beverages and specifies provisions of ballot including two issues: for or against the sale and consumption of mixed beverages; for or against "brown bagging" with provisions for voters to select one or both or neither. Special election to be called by bd. of elections of county only on written request of bd. of commrs. or on petition to bd. of elections of 15% of registered voters in county that voted in last governor's election. Requires county bd. of elections to give 20 days' public notice in calling for special liquor election prior to opening registration books, which are to remain open for same period of time as for regular election. Provides for election after operating under comprehensive plan for sale of mixed beverages; if majority of votes are against sale and consumption of mixed beverages, then county bd. must cease sales within 3 months. Modifies hours of sale of mixed beverages to allow same on licensed premises during hours that it is lawful to sell and consume malt beverages (formerly, 12 noon until midnight).

Modifies prohibited acts under GS 18-164 (formerly 18-160) to delete prohibition against employment of person in licensed business who drinks to excess or any 'B-girl' and adds prohibitions against sale to intoxicated person or disposal of empty bottles or containers except as per rules and regulation of State Bd. Modifies restrictions on purchase of mixed beverages to require same be purchased from store in county in containers containing 1 6/10 ounces and to eliminate requirement that licensee have permit in his possession in order to transport. Rewrites GS 18-188 relating to fees so that determination of fee based on number of seats in licensed premises: \$5.00 per seat up to 100; an additional fee of \$2.50 for seats over 100 up to 200; an additional \$1.25 per seat for all over 200 to 300; an additional \$1.00 for all seats over 300 to 500; an additional 50 cents for seats over 500 (defining 'seat' for fee purposes with specificity). Provisions providing for inspections rewritten to make licensed establishment subject to inspection by enforcement officers of State Bd. and county bd. (formerly, only State Bd.). Modifies provision relating to relicense of person convicted of violation of article to forbid relicense within one year from conviction (formerly, three years from conviction). Act not to be construed as repealing any part of GS Ch. 18 or authority of State Bd. under GS 18-64 and 18-60 except to extent necessary to implement act. Provides if Senate Bill 107 is ratified, new Art. 7 of GS Ch. 18A to read as in Sec. 1 of bill.

H 393 Subcontractors' liens rewrite (Iden. S 243) (digested in Bulletin No. 40, p. 286)
Amendments adopted in House 6/25/71 clarify that bill shall not affect pending litigation and adds new section imposing criminal sanctions for false statements made by a contractor or subcontractor of sums due or claimed for labor or material furnished at site for improvement of real property. Conviction for such false statements constitutes misdemeanor punishable by maximum \$500 and/or six months.

H 492 Road-side rest areas-no loitering (digested in Bulletin No. 50, p. 359)
Amendment adopted in House 6/25/71 prohibits person from lingering at road-side rest area for more than 60 (originally, 30) minutes.

H 1001 Gifts to minors changes (digested in Bulletin No. 91, p. 778)
Amendment adopted in House 6/25/71 deletes provision repealing GS 33-69.1(d).

H 1103 Transfer Capitol Police to SBI (digested in Bulletin No. 97, p. 855)
Amendment adopted in House 6/25/71 makes technical changes.

H 1137 Bulk tobacco barns sales tax (digested in Bulletin No. 100, p. 892)
Amendment adopted in House 6/25/71 specifies sales must be to farmers.

H 1181 Const'l limit-incorp. cities (digested in Bulletin No. 103, p. 925)
Committee Substitute adopted in House 6/25/71 rewords amendment to require populations of town be determined in accordance with most recent decennial census of population taken by order of Congress and provides notwithstanding amendment General Assembly may incorporate city or town by act adopted by vote of three-fifths of all members of each house. Provides amendment, if approved by majority of people, shall take effect on Jan. 1 next after ratification.

H 1199 Special assessment-interest rate (digested in Bulletin No. 105, p. 949)
Amendment adopted in House 6/25/71 deletes application of act to installments due on all special assessments heretofore levied which have not been paid prior to effective date of act.

H 1233 Amend Livestock Mkt. Act (Iden. S 761, digested in Bulletin No. 106, p. 955)
Amendments adopted in House 6/25/71 require Bd. to issue permit if it finds public livestock market for which permit is sought fulfills requirements of all applicable laws, and provides Bd. of Ag. may adjust fees.

H 1302 Bd. of Tax Supervision (Buncombe) (digested in Bulletin No. 112, p. 1038)
Amendment adopted in House 6/25/71 removes establishment of assessment ratio from functions of board.

H 1388 Power plant siting (Iden. S 862) (digested in Bulletin No. 116, p. 1095)
Amendment adopted in House 6/25/71 adds provision to GS 62-342(b) permitting either owner or utility to request and be entitled to jury trial on issue of just compensation for land taken. Adds Dep't Archives and History as one of parties necessary to certification proceeding. Clarifies that upon application of party in interest court shall order money deposited in court.

H 1390 (Richmond) Amending Norman's Charter (digested in Bulletin No. 116, p. 1100)
Technical amendment adopted in House 6/25/71.

Additional Senate Bills

S 539 Certain State agencies abolished (digested in Bulletin No. 80, p. 647)
Amendment adopted in Senate 6/25/71 deletes provisions that would have repealed Vehicle Equipment Safety Compact and the Comm'n on Education and Employment of Women.

S 658 Default judgments (digested in Bulletin No. 93, p. 796)
Committee Substitute adopted in Senate 6/25/71 strikes provisions of original bill and amends GS 1A-1, Rule 55(b)(1) by adding at end of first paragraph provision that a verified pleading may be used in lieu of an affidavit when the pleading contains information sufficient to determine or compute the sum certain.

SENATE AND HOUSE

CALENDAR ACTION

JUN.25,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 33 BUDGET APPROPRIATION.(6/24) S-PASSED 2ND READING; S-PASSED 3RD READING; H-REC FROM SENATE.
S. 34 CAPITAL APPROPRIATION.(6/24) S-PASSED 2ND & 3RD READING; H-REC FROM SENATE.
S. 35 NON-VOTED CAPITAL.(6/24) S-PASSED 2ND READING.
S. 83 CRIMINAL COURT COSTS. S-PLACED ON CAL JUNE 28.
S. 107 LIQUOR LAW REVISION.(3/24, 3/25) H-REPTD FAV AS AMENDED; H-PLACED CAL FOR JUNE 29.
S. 195 LIVESTOCK LAW REWRITE.(3/25, 6/07) H-PASSED 3RD READING.
S. 249 PODIATRY DEFINED. H-POSTPONED TO JUNE 30.
S. 302 DUAL OFFICE HOLDING.(6/15, 6/16) H-REPTD FAV.
S. 363 UTILITIES COMM'N-CLARIFYING ACT. H-PASSED 2ND READING.
#S. 382 DISORDERLY CONDUCT.(5/19, 6/18) RATIFIED CH. 668.
S. 420 OIL POLLUTION-UTILITY SITES.(6/24) S-PASSED 2ND & 3RD READING.
S. 445 NC PESTICIDE LAW OF 1971.(6/16) H-REC FROM SENATE; H-PLACED CAL FOR JUNE 30.
S. 451 SANITATION OF FARM LABOR CAMPS.(6/22, 6/25) S-COM AMEND ADOPTED; S-PLACED ON CAL JUNE 28.
S. 460 WATER,AIR RES.-INTEREST CONFLICT.(6/09, 6/25) H-REPTD FAV AS AMENDED; H-COM AMEND ADOPTED.
#S. 487 PATROLMEN'S EQUIPMENT-DISPOSITION.(6/18) RATIFIED CH. 669.
S. 490 ABOLISHING GOV'TAL. IMMUNITY.(6/15, 6/25) S-COM AMENDS ADOPTED; S-PLACED ON CAL JUNE 29.
S. 503 ADOPTED CHILD BIRTH CERTIFICATE.(6/24) S-PASSED 2ND & 3RD READING.
#S. 516 UNIV. STUDENT PUBL. FEES. S-MIN REPORT FAILED.
S. 539 CERTAIN STATE AGENCIES ABOLISHED.(6/25) S-COM AMEND ADOPTED; S-PLACED ON CAL JUNE 29.
S. 583 AMENDING NON-PROFIT CORP. ACT.(6/23) S-PASSED 3RD READING.
S. 598 CORPORATION ACT AMENDMENTS.(6/24) S-PASSED 3RD READING.
S. 604 PUNISHMENT-DRIVING UNDER INFLUENCE. S-PLACED ON CAL JUNE 28.
S. 623 INCORPORATE CITY IN SANIT. DIST.. H-PASSED 2ND READING.
S. 634 TRANSCRIPT COSTS-INDIGENTS.(6/23) S-PASSED 2ND & 3RD READING.
#S. 640 INSOLVENT INSURER GUARANTY ASSOC..(6/17) RATIFIED CH. 670.
S. 643 MILK COMM'N LAW REWRITE. S-REPTD FAV.
S. 658 DEFAULT JUDGMENTS.(6/25) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.

- S. 674 OCCUPATIONAL DEAFNESS, COMP..(6/25) S-COM AMEND ADOPTED;
S-PASSED 2ND & 3RD READING.
- S. 675 DENTISTRY LAW REVISION.(6/25) S-COM AMEND ADOPTED; S-PASSED
2ND READING.
- S. 676 DENTAL HYGIENE LAW REVISION.(6/25) S-COM AMEND ADOPTED;
S-PASSED 2ND READING.
- S. 681 ESCHEAT LAW REVISION.(6/25) S-COM AMENDS ADOPTED; S-PASSED
2ND & 3RD READING.
- S. 726 CPA CERTIFICATE FEES. H-PASSED 2ND READING.
- S. 734 REVISE PRIVATE DETECTIVE LAW. H-REC FROM SENATE; H-REF TO
COM ON JUDIC 1.
- S. 748 LICENSE AUTO DAMAGE APPRAISERS. H-REC FROM SENATE; H-REF TO
COM ON JUDIC 1.
- S. 750 ADVERTISING SALE OF SUBDIVISIONS. S-PASSED 2ND READING.
- S. 760 (J.RES.) MEMORIALIZING RALPH W. SLATE.(6/25) H-REPTD FAV AS
AMENDED; H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- S. 761 AMEND LIVESTOCK MKT. ACT. S-REPTD FAV AS AMENDED.
- S. 803 PRINTING OF SESSION LAWS. H-REPTD FAV; H-PASSED 2ND & 3RD
READING.
- S. 805 JUDGE ELECTION DATE. H-REC FROM SENATE; H-REF TO COM ON
CONSTUTN.
- S. 810 (J.RES.) THANKING MR. AND MRS. HUGHES. H-REPTD FAV; H-PASSED
2ND & 3RD READING.
- S. 815 BUS LICENSES. S-REPTD FAV.
- S. 819 LEGIS. BLDG. GOV. COMM'N. H-REPTD FAV.
- S. 822 HIGHER ED. SELF-LIQUIDATING BONDS. S-REPTD FAV.
- S. 839 LICENSING LIVESTOCK DEALERS-2. S-REPTD FAV.
- S. 856 BDS. OF EDUCATION CONTRACTS. S-PASSED 2ND READING.

- #H. 8 LEGISLATIVE RETIREMENT AND REPEAL. H-REPTD UNFAV.
- #H. 13 LEGISLATIVE RETIREMENT REPEAL. H-REPTD UNFAV.
- #H. 17 RECORDED VOTE-MONEY BILLS. H-REPTD UNFAV.
- H. 53 BUDGET APPROPRIATION.(6/24) H-PLACED CAL FOR JUNE 28.
- H. 54 CAPITAL APPROPRIATION.(6/24) H-PLACED CAL FOR JUNE 28.
- H. 55 NON-VOTED CAPITAL.(6/24) H-PLACED CAL FOR JUNE 28.
- H. 93 SECURE LOADS ON TRUCKS.(3/09, 3/11, 6/17) H-PASSED 2ND & 3RD
READING.
- H. 100 DAY-CARE FACILITIES-2.(6/01, 6/03) S-REPTD FAV.
- H. 111 \$300 AUTO ACCIDENT REPORTS.(3/24, 4/23) S-REPTD FAV AS
AMENDED.
- H. 119 NEW INDUSTRY ENVIRONMENTAL IMPACT.(6/22) H-PASSED 2ND & 3RD
READING.
- #H. 125 (J.RES.) ENDORSING FEDERAL REVENUE-SHARING. H-REPTD UNFAV.
- H. 149 ABC SALE-STICKER. H-REPTD FAV AS AMENDED.
- H. 153 MUNICIPAL LAW REVISION.(6/04, 6/23) S-PASSED 2ND READING.
- H. 318 PUBLIC DRUNKS, NON-CRIMINAL.(6/25) H-REPTD FAV COM SUBSTITUTE;
H-COM SUBSTITUTE ADOPTED.
- H. 321 MIXED DRINKS ON PREMISES-2.(6/25) H-REPTD FAV COM SUBSTITUTE;
H-COM SUBSTITUTE ADOPTED; H-RE-REF COM ON FINANCE.

- H. 393 SUBCONTRACTORS' LIENS REWRITE.(6/25, 6/25) H-COM AMEND ADOPTED; H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING; H-PLACED CAL FOR JUNE 29.
- H. 409 LOCAL WASTE DISCHARGE REPORTS.(6/24) H-POSTPONED TO JUNE 28.
- H. 434 DIVIDENDS,CASH OR PROPERTY.(6/11) H-POSTPONED TO JUNE 28.
- #H. 436 HEARING AID BOARD REPEAL. H-POSTPONED INDEF.
- #H. 492 ROAD-SIDE REST AREAS-NO LOITERING.(6/25) H-COM AMEND ADOPTED; H-TABLED.
- #H. 516 NC TRAILS SYSTEM ACT.(6/23) H-TABLED.
- H. 528 DRIVER POINT REDUCTION-CLINIC.(5/12, 6/09) H-POSTPONED TO JUNE 28.
- H. 551 LIQUOR IN PUBLIC SCHOOLS.(6/18) H-POSTPONED TO JUNE 29.
- H. 685 OIL POLLUTION-UTILITY SITES.(6/24) H-POSTPONED TO JUNE 28.
- H. 700 TORT CLAIMS-LOCAL LIABILITY.(5/25) H-POSTPONED TO JUNE 28.
- H. 706 VISUAL ENVIRONMENT CONTROLS.(6/16, 6/22) H-POSTPONED TO JUNE 28.
- H. 736 US CONST.-RATIFY 18 YR. AMEND.-2.(6/25) S-MIN REPORT ADOPTED; S-PLACED ON CAL JUNE 28.
- H. 737 NC PESTICIDE LAW OF 1971.(6/17) H-POSTPONED TO JUNE 30.
- H. 750 ANIMAL QUARANTINE PROCEDURES.(6/24) H-REC TO CONCUR IN S AMEND.
- #H. 765 YEAS AND NAYS ON SPENDING BILLS. H-REPTD UNFAV.
- H. 772 COUNTY ORDINANCE PROCEDURE.(5/12) S-REPTD FAV.
- H. 863 STATE GOV'T REORGANIZATION.(6/21, 6/23, 6/24) S-REC FROM HOUSE; S-REF TO COM ON ST GOVT.
- H. 871 AUTO LITTER BAGS.(6/16) H-POSTPONED TO JULY 9.
- H. 876 (J.RES.) EXEC. REORG. AMEND-HIGHER ED. H-POSTPONED TO JULY 9.
- H. 888 PUBLIC SCHOOL TENURE SYSTEM.(6/23, 6/23) H-POSTPONED TO JUNE 28.
- H. 890 PHYSICIANS' ASS'TS REGISTRATION.(6/04) S-REPTD FAV AS AMENDED; S-RE-REF COM ON PUB HLTH.
- #H. 892 DEFACING HIGHWAY SIGNS.(6/10) RATIFIED CH. 671.
- H. 900 LEG'VE APPROVAL NON-SPA SALARIES.(5/26, 6/01, 6/21, 6/24) H-REC TO CONCUR IN S AMEND; H-FAILED TO CONCUR S AMEND; H-CONF COM APPOINTED.
- #H. 921 ENLARGING CITY SCHOOL ADM. UNITS. RATIFIED CH. 672.
- H. 935 PRIMARY CANDIDATE QUALIFICATIONS.(5/28, 6/23) S-PLACED ON CAL JUNE 29.
- #H. 942 EMPLOYMENT SECURITY LAW CHANGES.(5/21, 5/24, 6/18) RATIFIED CH. 673.
- #H. 944 NAME CHANGE-GOOD NEIGHBOR COUNCIL. RATIFIED CH. 674.
- H. 957 NO TOLLS ON STATE FERRIES.(6/18) H-PASSED 3RD READING.
- H. 960 BARBER'S FEES. H-PASSED 3RD READING.
- H. 961 TAXABLE INCOME-CONST. AMENDMENT.(6/22) H-POSTPONED TO JUNE 28.
- #H. 967 PLEDGE TO PARTY NOMINEES. RATIFIED CH. 675.
- H. 978 PLUMBING-HEATING CONTRACTORS.(6/24) S-PLACED ON CAL JUNE 30.
- H. 988 CREATING LEGISLATIVE ETHICS BOARD. H-REPTD FAV.
- H.1000 AUTO INSUR. CLASS. 260 PLAN. H-POSTPONED TO JUNE 29.
- H.1001 GIFTS TO MINORS CHANGES.(6/25) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.

- H.1012 (J.RES.) PRIVATE CHILD-CARE FUNDS. S-PASSED 3RD READING.
H.1014 (J.RES.) COMMENDING EDEN'S JULY 4TH. H-REPTD FAV; H-PASSED
2ND & 3RD READING.
#H.1024 SINGLE SEAT LEGIS. DISTRICTS. H-REPTD UNFAV.
H.1027 LICENSE FEE-CHIROPRACTOR. S-REPTD FAV.
#H.1036 DISEASED ANIMALS RUNNING AT LARGE. RATIFIED CH. 676.
H.1046 MINORS WORKING WHERE BEER SERVED. H-REPTD FAV.
H.1066 CONTROL OF FISHING FROM BRIDGES.(6/24) H-REC TO CONCUR S
AMENDS; H-CONCURRED IN S AMENDS.
H.1076 CREATING DRUG AUTHORITY.(6/04, 6/22) S-RE-REF COM ON JUDIC 1.
H.1082 INVESTMENT COMPANIES-TAXATION. H-PASSED 2ND READING.
H.1101 CENTRAL PRISON-PERSONS UNDER 16.(6/24) H-REC TO CONCUR IN S
AMEND; H-CONCURRED IN S AMEND.
H.1103 TRANSFER CAPITOL POLICE TO SBI.(6/25) H-FLOOR AMEND ADOPTED;
H-PASSED 3RD READING.
H.1106 UNLAWFUL SCHOOL ABSENCES. H-REPTD FAV AS AMENDED.
#H.1109 POULTRY PRODUCTS INSPECTION ACT. RATIFIED CH. 677.
#H.1113 AUTO REGISTRATION TRANSFER. RATIFIED CH. 678.
#H.1122 RECORDATION OF SERVICE DISCHARGE. RATIFIED CH. 679.
#H.1123 MOVING LIVE POULTRY AND LIVESTOCK.(6/09) RATIFIED CH. 680.
H.1137 BULK TOBACCO BARNS SALES TAX.(6/25) H-COM AMEND ADOPTED;
H-PASSED 2ND READING.
#H.1160 RECUPERATION CENTER-DEFINITION. H-POSTPONED INDEF.
H.1172 EDUCATION EXPENSE GRANTS. H-REPTD FAV AS AMENDED.
H.1181 CONST'L LIMIT-INCORP. CITIES.(6/25) H-REPTD FAV COM
SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
H.1199 SPECIAL ASSESSMENT-INTEREST RATE.(6/25) H-COM AMEND ADOPTED;
H-PASSED 2ND READING.
H.1211 INVESTMENT COMPANY TAXES. H-PASSED 2ND READING.
H.1213 SECURITIES INVESTMENT LAW. H-PASSED 2ND & 3RD READING.
#H.1223 SELECTION OF SCHOOL TEXTBOOKS. H-REPTD UNFAV.
H.1233 AMEND LIVESTOCK MCT. ACT.(6/25) H-COM AMENDS ADOPTED; H-PASSED
2ND READING.
H.1249 SENTENCE CREDIT-ANOTHER JURISD.. H-PASSED 2ND & 3RD READING.
H.1263 SCHOOL COUNSELOR-PRIVILEGED COMM.. H-REPTD FAV.
#H.1314 LEGIS. DIST.-DIVIDING COUNTIES. H-REPTD UNFAV.
H.1342 TOXIC VAPORS ACT. H-REPTD FAV.
#H.1372 INITIATIVE AND REF.-CONST. AMEND. H-REPTD UNFAV.
H.1388 POWER PLANT SITING.(6/25) H-COM AMENDS ADOPTED; H-PASSED 2ND
READING.
H.1417 DUAL OFFICE HOLDING-2. H-REPTD FAV.
H.1434 (J.RES.) MEMORIALIZING WEIL. H-PASSED 2ND & 3RD READING; S-REC
FROM HOUSE; S-REF TO COM ON RULES.
H.1437 (H.RES.) THANKING WAKE DELEGATION. H-ADOPTED.
H.1438 (J.RES.) UNC TRUSTEES ELECT.,TIME. H-PASSED 2ND & 3RD
READING.

LOCAL BILLS

- S. 313 (RANDOLPH) ADDITIONAL SEAT OF COURT. S-REPTD FAV.

- S. 624 (CASWELL) YANCEYVILLE INCORPORATION.(6/15) H-PASSED 2ND READING.
- S. 730 (HALIFAX) COUNTY COMMISSIONER DISTRICTS. H-PASSED 2ND & 3RD READING.
- S. 742 (BUNCOMBE) METRO WATER DIST.-CIVIL SERVICE. H-PASSED 2ND & 3RD READING.
- S. 762 (ROBESON) ST. PAULS CHARTER. H-PASSED 2ND READING.
- S. 771 (YANCEY) RACCOON AND OPOSSUM HUNTING. H-PASSED 2ND & 3RD READING.
- S. 795 (GUILFORD) HIGH POINT POLICE JURISDICTION. H-PASSED 2ND & 3RD READING.
- S. 798 (HAYWOOD) COUNTY AIRPORT AUTHORITY.(6/22) S-PLACED ON CAL JUNE 28.
- S. 804 (GUILFORD) HIGH POINT CIVIL SERVICE ACT. H-PASSED 2ND & 3RD READING.
- S. 809 (ROBESON) LUMBERTON SCHOOL BOUNDARIES. H-PASSED 2ND & 3RD READING.
- S. 835 (HALIFAX, WARREN) SCHOOL TAX REFUND. S-REPTD FAV.
- S. 847 (HALIFAX) ROANOKE RAPIDS CITY LIMITS. S-REPTD FAV.
- S. 854 (DURHAM) ELECTION OF MERGED SCHOOL BOARD. S-PASSED 2ND READING.
- S. 879 (WAYNE) GOLDSBORO SCHL. BOND ELECTION. S-REPTD FAV.
- H. 639 (BRUNSWICK) LELAND INCORPORATION.(5/14) S-REPTD FAV AS AMENDED.
- H. 658 (CARTERET) EMERALD ISLE CORPORATE LIMITS. S-REPTD FAV.
- H. 676 (DURHAM) COUNTY ABC PROFITS. H-REPTD FAV.
- H. 898 (BEAUFORT, JONES, ONSLOW, WASHINGTON) NO BEAR HUNTING.(5/14, 6/24) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- H.1208 (PITT) LEASE OF SCHOOL PROPERTY. S-PASSED 2ND & 3RD READING.
- #H.1253 (MITCHELL) ACCOUNTANT & TAX SUPERVISOR.(6/18) S-REPTD UNFAV.
- H.1265 (HAYWOOD) COUNTY AIRPORT AUTHORITY.(6/18) S-REPTD FAV.
- H.1279 (MECKLENBURG) BOARD OF EDUC.-TERM OF MEMBERS. H-REPTD FAV.
- H.1280 (MECKLENBURG) BOARD OF EDUC.-PAY OF MEMBERS. H-REPTD FAV.
- H.1295 (CLEVELAND) FALLSTON CHARTER. H-PASSED 2ND READING.
- H.1297 (BUNCOMBE, HENDERSON) ASHEVILLE-HENDERSONVILLE AIRPORT. H-PASSED 2ND & 3RD READING.
- H.1302 (BUNCOMBE) BD. OF TAX SUPERVISION.(6/25) H-COM AMEND ADOPTED; H-PASSED 2ND READING.
- H.1303 (DAVIDSON) LEXINGTON-RELEASE OF EASEMENT. H-PASSED 2ND & 3RD READING.
- H.1320 (CRAVEN) NEW BERN POLICE DEP'T. H-PASSED 2ND READING.
- H.1321 (PERQUIMANS) WINFALL COMM'RS. H-PASSED 2ND & 3RD READING.
- H.1334 (DURHAM) DURHAM CITY COUNCIL MEETINGS. H-PASSED 2ND READING.
- H.1335 (CLEVELAND) EARL STATION CHARTER. H-PASSED 2ND READING.
- H.1338 (LINCOLN) INCORPORATING NEW TOWNS. H-PASSED 2ND READING.
- H.1344 (CHOWAN) EDENTON STREETS AND SIDEWALKS. H-PASSED 2ND READING.
- H.1358 (CLEVELAND) CASAR LIVES AGAIN. H-PASSED 2ND & 3RD READING.
- H.1361 (MOORE) AMEND CHAPTER 279,1971 SL. H-PASSED 2ND & 3RD READING.
- H.1376 (STANLY) COUNTY TAX COLLECTOR. H-PASSED 2ND & 3RD READING.

H.1390 (RICHMOND) AMENDING NORMAN'S CHARTER.(6/25) H-FLOOR AMEND
ADOPTED; H-PASSED 3RD READING.
H.1400 (NASH) INDUST. DEV. FUNDS. H-PASSED 2ND & 3RD READING.
H.1405 (NEW HANOVER) COUNTY ACCOUNTANT. H-PASSED 2ND & 3RD READING.
H.1406 (GUILFORD) GREENSBORO HOUS DEV CL'HOUSE COMM'N. H-PASSED 2ND
READING.

Next Sessions of House: 9:30 a.m., June 26, 1971, for the consideration
of local bills only; 2:00 p.m., Monday, June 28, 1971.

Next Sessions of Senate: 9:30 a.m., June 26, 1971, for the consideration
of local bills only; 7:00 p.m., Monday, June 28, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
P. O. BOX 7294, RALEIGH, N. C.
27611 TEL. 755-3355
829-7677

BULLETIN NO. 119

-1147-

MONDAY, JUNE 28, 1971

Note: The Senate convened at 9:30 a.m., on Saturday, June 26, 1971, for the consideration of local bills only. No bills were introduced and no calendar action was taken in the Senate. The House convened at 9:30 a.m., Saturday, June 26, 1971. No calendar action was taken in the House but the following bills were introduced:

HOUSE PUBLIC BILL

H 1441 Arrest by out-of-State officers
Introducer: S. Johnson

GS 15
Sent to JUDIC 1

"To amend Chapter 15 of the General Statutes so as to authorize police officers of other states to pursue and arrest felons in North Carolina." Adds new GS 15-42.1 permitting out-of-State law enforcement officer entering State in hot pursuit of a person he seeks to arrest for a felony to continue in hot pursuit and to make the arrest if state from which person fled extends similar privileges to NC officers. Provides for hearing before district or superior court judge following arrest, who upon determining arrest lawful shall commit person to await extradition warrant.

HOUSE LOCAL BILL

H 1442 Cary town charter (Iden. S 886)
Introducers: S. Johnson, Twiggs, Wynne, R. Farmer

WAKE
Sent to JUDIC 1

"To revise and consolidate the charter of the Town of Cary and to repeal prior charter acts." Identical with S. 886, digested in Bulletin No. 118, p. 1135.

PUBLIC BILLS INTRODUCED

SENATE

S 890 Conform 1971 enacting clauses
Introducer: Patterson

CONSTITUTION
Sent to CONSTUTN

"To conform the enacting clauses of bills before the 1971 General Assembly to the requirements of the Constitution which takes effect on July 1, 1971." Changes enacting clause of 1971 General Assembly bills to read "The General Assembly of North Carolina enacts" (as introduced, read "The General Assembly of North Carolina do enact") as title indicates.

S 891 Exec. orders-publication
Introducer: Patterson

MISC RES
Sent to RULES

"Relating to publication of executive orders of the Governor." Provides Executive Orders of Gov. which have force of law to be transmitted by Gov.'s office to Legislative Services Officer to be printed with the Session Laws.



S 893 Consolidating higher education
Introducer: Kirby

GS 116
Sent to HIGHR ED

"To consolidate the institutions of higher learning in North Carolina." Rewrites numerous sections of GS Ch. 116 and reorganizes structure of higher education, as follows: (1) Effective Jan. 1, 1972 consolidates 16 public senior institutions into "University of North Carolina System." (2) Redesignates UNC Bd. Trustees as Bd. Trustees of UNC System and makes Governor ex officio chairman, and authorizes Governor to appoint 24 members subject to confirmation by General Assembly for eight-year overlapping terms. (3) Empowers Bd. Trustees with responsibility of planning and promoting higher education in NC, to govern 16 constituent institutions subject to powers given overseers of institutions (see below), to determine for institutions their functions, educational activities and academic programs, to elect President of each of constituent institutions on nomination of bd. of overseers of institution, to set tuition and fees, to review budget requests and prepare budget request for all constituent institutions. (4) Vests all property of institutions in Bd. Trustees effective Jan. 1, 1972. (5) Provides Bd. shall elect Chancellor of UNC System and five vice chancellors with specific areas of responsibility. (6) Provides each of constituent institutions shall have bd. of overseers composed of 13 persons, 12 of whom shall be elected for 6-year terms by Bd. Trustees subject to confirmation by General Assembly; makes student body president at each institution ex officio bd. member; and prohibits member of General Assembly or officer or employee of State from serving on bd. overseers. (7) Grants overseers power to make policies, rules and regulations for management and development of institution within framework of policies prescribed by Bd. Trustees, to nominate president for institution to be elected by Trustees, to prepare and recommend to Trustees budget for institution, and to advise Trustees. (8) Sets forth duties of president of institution including preparing report for trustees on operation of institution by June 30 each year, attending all meetings of bd. of overseers, keeping Chancellor and Bd. Trustees informed concerning operations and needs of institution (subject to policies prescribed by Trustees and overseers) and making recommendations for appointment of personnel within institution and development of educational programs. (9) Authorizes those institutions operating power plants to continue same. (10) Permits individual endowment funds for each institution subject to terms and conditions set by Trustees and provides for trustees for each endowment fund. (11) Conforms various sections of GS 116 to new structure. (12) Makes NC School of Arts part of UNC System but sets forth special provisions governing its operations. (13) Makes act effective Jan. 1, 1972 but permits appointments, elections and confirmations pursuant to act upon ratification and prior to Dec. 31, 1971.

S 894 Possessory lien; correction-1
Introducer: Strickland

GS 44A
Sent to JUDIC 1

"To correct an inconsistency in G.S. 44A-2 by repealing Chapter 261 of the 1971 Session Laws." Repeals Ch. 261, 1971 SL ("Vehicle repair lien"-H 410, digested in Bulletin No. 41, p. 295) as title indicates.

S 895 Possessory lien; correction-2
Introducer: Strickland

GS 44A
Sent to JUDIC 1

"To amend G.S. 44A-2 to resolve an inconsistency." Amends GS 44A-2 (persons entitled to lien on personal property) to provide lien for person who tows, alters, repairs, stores, services, treats, or improves personal property other than motor vehicles in ordinary course of business pursuant to express or implied contract with owner or legal possessor of personal property (adds provision for property "other than a motor vehicle").

S 896 Dramatic arts bldg.-UNC-CH
Introducer: Allen

APPROPRIATION
Sent to APPROPRN

"Appropriating two million four hundred ninety thousand dollars to the University of North Carolina at Chapel Hill for the purpose of constructing a dramatic arts building theatre component." Appropriates from General Fund \$2,490,000 for 1971-73 biennium to UNC-CH for the construction of a public theatre for the presentation of dramatic arts. Effective July 1, 1971.

S 897 Revoc. procedure-insur. licenses
Introducer: Norton

GS 57, 58
Sent to INSUR

"To amend Article 3 of Chapter 58 and Chapter 57 of the General Statutes of North Carolina to provide for notice and opportunity to be heard on revocation or suspension of license or certificate of authority issued by the Commissioner of Insurance." Adds new GS 58-44.4A requiring notice and opportunity to be heard be given licensee before suspension or revocation of license by Insur. Comm'r. Amends GS 57-12 and 57-13 to include notice and hearing provisions in said section.

HOUSE

H 1444 Assignments of teachers
Introducers: Ingram and others

GS 115
Sent to APPROPRN

"To establish the assignment of public school teachers in elementary grades one, two and three." Adds provision to GS 115-176 that no superintendent, principal, public school personnel or any other person shall cause more than 24 pupils to be assigned to any teacher of elementary grades one, two or three for instructional purposes. Effective upon ratification and applicable to assignments for 1971-72 school year and all assignments thereafter.

H 1445 Net economic loss deduction
Introducers: Davis and others

GS 105
Sent to CALENDAR

"To amend G.S. 105-130.8 with respect to deduction of net economic losses of corporations." Adds new GS 105-130.8(7) providing successor or surviving corporation is entitled to deduct net economic loss or allocable portion sustained by submerged corporation in NC provided successor corporation is permitted or would be permitted to deduct net operating loss of submerged corporation under Internal Revenue Code in effect on effective date of subsection. Effective for taxable year beginning Jan. 1, 1971.

H 1446 "Hospital facilities"-definition
Introducer: Davis

GS 131
Sent to CALENDAR

"Amending Chapter 597 of the 1971 Session Laws so as to make it clear that the term hospital facilities includes nursing homes." As title indicates, specifically includes nursing homes under hospital facilities definition in Ch. 597, 1971 SL.

H 1447 Creditable service-State ret.
Introducers: Long and others

GS 135
Sent to APPROPRN

"To provide for allowing credit in the Teachers' and State Employees' Retirement System for service prior to July 1, 1941, to certain retired members not previously entitled to such credit." Adds provision to GS 135-4(a) permitting any member retiring on service retirement allowance prior to July 1, 1965 with credit for not less than 10 yrs. membership service who at time of retirement did not qualify for credit for service as teacher or State employee prior to July 1, 1941, may request on and after July 1, 1971 to have original benefit recalculated in accordance with formula prevailing at time of retirement to include credit for such service with new benefit to become effective on first month following certification of claim. Effective July 1, 1971.

H 1448 Vehicle removal-service stations
Introducer: Campbell

GS 20, 44A
Sent to CALENDAR

"To provide for removal of unauthorized vehicles from gasoline service station property." Adds new GS 20-162.3 making it unlawful for motor vehicle to be left upon property of gasoline or service station after registered owner of vehicles has been given notice to remove it. Makes letter by certified mail to owner at last known address constitute sufficient notice. Permits vehicles left in violation of statute to be removed to place of storage and owner may be held liable for removal and storage charges. Removes civil or criminal liability for removal under statute unless vehicle willfully or maliciously damaged. Provides for alternative method under GS 44A-4(b) through (g) for removal.

H 1449 (Joint Resolution) Memorializing Judge Carr
Introducers: Long and others

MISC RES
Passed three readings
and sent to Senate

"Honoring the life and memory of Judge Leo Carr, Superior Court Judge." As title indicates.

LOCAL BILLS INTRODUCED

SENATE

S 892 County Comm'rs-4-year terms
Introducer: White

WARREN
Sent to LOC GOVT

"To provide staggered four-year terms for the county commissioners of Warren County upon approval of the voters." Amends GS 153-5 as follows: (1) Provides for election in Warren County in 1972 of five county commissioners. Two candidates receiving highest number of votes to be elected for four years and three with next highest number to be elected for two years. At general election in 1974 and every 2 years thereafter, there shall be comm'rs elected equal to number of comm'rs whose terms have expired and those elected comm'rs shall have terms of 4 years. (2) At first nonpartisan election in Warren County prior to 1972 general election, but at general election in 1972 if there has been no prior election, Warren County voters shall vote for four-year staggered terms for comm'rs and if majority votes for four-year staggered terms, comm'rs will then serve terms as set out in (1) above. If majority votes against 4-year staggered terms, these provisions will be null and void and comm'rs will be elected as now provided by law. (3) Public notice of election to be given by publication once a week for 3 consecutive weeks next preceding election in newspaper having general circulation in county and notice shall contain language set forth in above and issue that will appear on ballot.

HOUSE

H 1443 Firemen's retirement - Charlotte
Introducers: Vogler, Beatty, Campbell, Cook,
Foley, Hicks & Lawing

MECKLENBURG
Sent to CALENDAR

"To amend Chapter 926 of the 1947 Session Laws, as amended, establishing the Charlotte Firemen's Retirement System." Adds new secs. to authorize bd. of trustees to recommend changes in benefit structure and method of financing to city council, including changes in rate of contribution, if recommendations are actuarially sound. Authorizes city council to increase or decrease rate of contribution on recommendation of bd. of trustees if change does not reduce benefits paid to retired members, but rate of contribution may not exceed combined rate of city contributions to Law Enforcement Officers Benefit and Retirement System and to Social Security and city's rate of contribution may not exceed rate of contributions of active members.

Authorizes council to appropriate funds to provide retroactive cost of living increase on recommendation of bd. of trustees. Increases payroll contribution of members from 6.48% to 8.13%. Rewrites provisions for age eligibility and amount of benefits to provide members eligible after 30 years service regardless of age, but not later than age 65. Provides new formula for computation of 'final average salary', and provides for early retirement and optional benefits for survivors (four options). Redefines disability benefits. Provides special death benefit for deceased members.

ADDITIONAL PUBLIC BILL INTRODUCED IN SENATE

S 898 Creditable service-State ret. (Iden. H 1447)
Introducers: Scott and Alley

GS 135
Sent to APPROPN

"To provide for allowing credit in the Teachers' and State Employees' Retirement System for service prior to July 1, 1941, to certain retired members not previously entitled to such credit." Identical with H 1447, digested in House section of today's Bulletin.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 33 Budget appropriation (digested in Bulletin No. 7 on unnumbered green pages following p. 46; Committee Substitute digested in Bulletin No. 117, p. 1115)
Amendments adopted in House 6/28/71: (1) appropriate from General Fund for fiscal 1972-3, \$14,448,472 to extend term of employment of principals and supervisors to 12 months and for teachers to 9 1/2 months, appropriation contingent upon General Fund revenues collected for fiscal 1971-2 exceeding estimated revenue collections for that period by at least \$15,448,472; and (2) provided that except as otherwise in the bill provided, salary increases for all State employees that are set by the Gov. and Adv. Budget Comm'n for 1971-3 shall not exceed 5% for 1971-2 and 5% for 1972-3 unless greater increases in salaries are specifically approved by the 1971 General Assembly.

S 83 Criminal court cost (digested in Bulletin No. 13, p. 84)
Amendment adopted in Senate 6/28/71 reduces district court criminal case costs to \$9 (originally, \$11).

S 643 Milk Comm'n Law rewrite (Iden. H 991, digested in Bulletin No. 91, p. 773)
Amendment adopted in Senate 6/28/71 deletes the formula for determining 'cost' of milk to the retailer in section prohibiting sale below cost to injure or destroy competition.

S 680 Escheat, statute of limitations (digested in Bulletin No. 94, p. 812)
Amendment adopted in Senate 6/28/71 increases statute of limitations period from five to seven years from date it became payable to the Escheat Fund.

S 687 Divorce actions-findings of fact (digested in Bulletin No. 96, p. 837)
Amendment adopted in Senate 6/28/71 makes act effective on and after Jan. 1, 1972 (originally, effective upon ratification).

- S 725 Variable annuities salesmen (Iden. H 958, digested in Bulletin No. 87, p. 736; Committee Substitute digested in Bulletin No. 117, p. 1113)
Amendment adopted in Senate 6/28/71 rewrites Committee Substitute to provide that life insurance companies and agents licensed and regulated by Comm'r of Insurance in sale of variable annuity contracts be exempt from registration provisions of GS 78-19, and repeals proviso of GS 58-79.2(r) in conflict with act.
- S 736 Juvenile court law changes (digested in Bulletin No. 101, p. 902)
Amendments adopted in Senate 6/28/71: (1) rewrite section rewriting GS 7A-286(6) to provide if court finds child in need of evaluation for mental disorder, retardation or impairment, court may order area mental health director or local mental health director to arrange interdisciplinary evaluation of child and make recommendations to court, and if such evaluation shows child in need of residential care and treatment for mental impairment, court may cause mental health director to arrange admission or commit child to appropriate state or local facility; (2) make technical correction.
- S 739 No hitchhiking on interstates (digested in Bulletin No. 101, p. 903)
Amendment adopted in Senate 6/28/71 deletes references to walking along highways as constituting prohibited action.
- S 761 Amend Livestock Mkt. Act (digested in Bulletin No. 106, p. 955)
Amendments adopted in Senate 6/28/71 require Bd. to issue license, deleting provision Bd. shall investigate whether there is sufficient need for such market in proposed locality, and require Bd. adjust all fees, not just those after 6:00 p.m.
- S 791 Mental Retardation Council (digested in Bulletin No. 110, p. 1003)
Amendments adopted in Senate 6/28/71 make following changes: (1) change Council name to Council on Mental Retardation and Developmental Disabilities; (2) add provision requiring "Council on Mental Retardation" wherever appearing in statutes to mean Council created by act; (3) include physically disabled in definition of developmental disabilities.
- S 813 Insur. premium financing (Iden. H 1301; digested in Bulletin No. 112, p. 1033)
Amendment adopted in Senate 6/28/71 permits finance charges only as provided in GS 24-11(a) after said amount has been outstanding for thirty days.
- S 824 Amend SL 1971, Ch. 338-fac. retire (digested in Bulletin No. 113, p. 1049)
Amendment adopted in Senate 6/28/71 adds additional technical correction to original session law correction.
- S 856 Bds. of education contracts (Iden. H 1299; digested in Bulletin No. 112, p. 1033)
Amendment adopted in Senate 6/28/71 corrects statutory reference omission.

HOUSE BILLS

- H 639 Leland incorporation (digested in Bulletin No. 62, p. 470)
Amendment adopted in Senate 6/28/71 makes numerous date changes in election provisions, setting special election for August 3, 1971 (originally, July 6, 1971) and changing other dates correspondingly.

The Speaker of the House on June 25 named the following members to the House Calendar Committee: Watkins, Chairman; Hicks and H. Rountree, Vice Chairmen; Arnold, Barbee, R. Brown, Collins, Eagles, Everett, James, R. Jernigan, Mayfield, Quinn, L. Ramsey, G. Rountree, Short and Snyder.

SENATE AND HOUSE

CALENDAR ACTION

JUN. 28, 1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 33 BUDGET APPROPRIATION.(6/24, 6/28) H-FLOOR AMENDS ADOPTED;
H-PASSED 2ND & 3RD READING; H-RECONSIDERED 3RD READING.
S. 34 CAPITAL APPROPRIATION.(6/24) H-PASSED 2ND & 3RD READING.
S. 35 NON-VOTED CAPITAL.(6/24) S-PASSED 3RD READING.
S. 83 CRIMINAL COURT COSTS.(6/28) S-COM AMEND ADOPTED; S-PASSED
2ND & 3RD READING.
S. 420 OIL POLLUTION-UTILITY SITES.(6/24) H-REC FROM SENATE; H-REF
TO COM ON CONS&DEV.
S. 503 ADOPTED CHILD BIRTH CERTIFICATE.(6/24) H-REC FROM SENATE;
H-REF TO COM ON CALENDAR.
S. 634 TRANSCRIPT COSTS-INDIGENTS.(6/23) H-REC FROM SENATE; H-REF
TO COM ON CALENDAR.
S. 643 MILK COMM'N LAW REWRITE.(6/28) S-FLOOR AMEND ADOPTED; S-PASSED
2ND READING.
S. 658 DEFAULT JUDGMENTS.(6/25) S-PASSED 2ND & 3RD READING.
S. 675 DENTISTRY LAW REVISION.(6/25) S-PASSED 3RD READING.
S. 676 DENTAL HYGIENE LAW REVISION.(6/25) S-PASSED 3RD READING.
S. 678 ESCHEAT PENALTY. S-PASSED 2ND & 3RD READING.
S. 679 ESCHEAT REPORTS. S-PASSED 2ND & 3RD READING.
S. 680 ESCHEAT, STATUTE OF LIMITATIONS.(6/28) S-COM AMEND ADOPTED;
S-PASSED 2ND & 3RD READING.
S. 682 ESCHEAT-FEDERAL COURT. S-PASSED 2ND & 3RD READING.
S. 687 DIVORCE ACTIONS-FINDINGS OF FACT.(6/28) S-COM AMEND ADOPTED;
S-PASSED 2ND & 3RD READING.
S. 688 ESTABLISHMENT OF CARTWAYS. S-PASSED 2ND & 3RD READING.
S. 725 VARIABLE ANNUITIES SALESMEN.(6/24, 6/28) S-FLOOR AMEND
ADOPTED; S-PASSED 2ND & 3RD READING.
S. 736 JUVENILE COURT CHANGES.(6/28) S-COM AMENDS ADOPTED; S-PASSED
2ND & 3RD READING.
S. 739 NO HITCHHIKING ON INTERSTATES.(6/28) S-COM AMEND ADOPTED;
S-PASSED 2ND READING.
S. 750 ADVERTISING SALE OF SUBDIVISIONS. S-PASSED 3RD READING.
S. 761 AMEND LIVESTOCK MKT. ACT.(6/28) S-COM AMEND ADOPTED; S-PASSED
2ND READING.
S. 776 LOCATING ELEVATOR WIRING DIAGRAMS. S-PASSED 2ND READING.
S. 790 SCHOOL COUNSELOR-PRIVILEGED COMM.. S-PLACED ON CAL JUNE 29.
S. 791 MENTAL RETARDATION COUNCIL.(6/28, 6/28) S-COM AMENDS ADOPTED;
S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
S. 796 CONFORMING STATUTES TO GS CH. 7A. S-PASSED 2ND & 3RD READING.

- #S. 803 PRINTING OF SESSION LAWS. RATIFIED CH. 685.
- #S. 810 (J.RES.) THANKING MR. AND MRS. HUGHES. RATIFIED RES. 90.
- S. 812 PUBLIC HEALTH SERVICES-STUDY COMM'N. S-PASSED 2ND & 3RD READING.
- S. 813 INSUR. PREMIUM FINANCING.(6/28) S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- S. 815 BUS LICENSES. S-PASSED 2ND READING.
- S. 816 SEED POTATO LAW CHANGES. S-PLACED ON CAL JUNE 29.
- S. 822 HIGHER ED. SELF-LIQUIDATING BONDS. S-PASSED 2ND READING.
- S. 823 CREDIT FRAUDS. S-PASSED 2ND & 3RD READING.
- S. 824 AMEND SL 1971, CH. 338-FAC. RETIRE.(6/28) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- S. 827 (S.RES.) LRC EMERGENCY CARE SERVICE STUDY. S-ADOPTED.
- S. 829 COMPULSORY WORKMEN'S COMP. LAW. S-PLACED ON CAL JUNE 29.
- S. 836 APPEALS FROM IND'L COMM'N. S-PLACED ON CAL JUNE 29.
- S. 839 LICENSING LIVESTOCK DEALERS-2. S-PASSED 2ND READING.
- S. 856 BDS. OF EDUCATION CONTRACTS.(6/28) S-COM AMEND ADOPTED; S-PASSED 3RD READING.

- H. 53 BUDGET APPROPRIATION.(6/24) H-POSTPONED TO JUNE 29.
- H. 55 NON-VOTED CAPITAL.(6/24) H-POSTPONED TO JUNE 29.
- #H. 93 SECURE LOADS ON TRUCKS.(3/09, 3/11, 6/17) RATIFIED CH. 688.
- H. 100 DAY-CARE FACILITIES-2.(6/01, 6/03) S-RE-REF TO COM ON FINANCE.
- H. 153 MUNICIPAL LAW REVISION.(6/04, 6/23) S-PASSED 3RD READING.
- H. 322 SOFT DRINK TAX REPEAL. H-REPTD FAV AS AMENDED.
- #H. 402 EQUAL DIVISION LIQUOR SURTAX. H-REPTD UNFAV.
- #H.1012 (J.RES.) PRIVATE CHILD-CARE FUNDS. RATIFIED RES. 91.
- H.1027 LICENSE FEE-CHIROPRACTOR. S-PASSED 2ND READING.
- #H.1042 DENTISTRY LAW REVISION.(6/04) S-POSTPONED INDEF..
- #H.1043 DENTAL HYGIENE LAW REVISION.(6/04) S-POSTPONED INDEF..
- #H.1066 CONTROL OF FISHING FROM BRIDGES.(6/24) RATIFIED CH. 690.
- #H.1101 CENTRAL PRISON-PERSONS UNDER 16.(6/24) RATIFIED CH. 691.
- H.1438 (J.RES.) UNC TRUSTEES ELECT., TIME. S-REC FROM HOUSE; H-PASSED 2ND & 3RD READING.
- H.1449 (J.RES.) MEMORIALIZING JUDGE CARR. H-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 313 (RANDOLPH) ADDITIONAL SEAT OF COURT. S-PASSED 2ND & 3RD READING.
- S. 624 (CASWELL) YANCEYVILLE INCORPORATION.(6/15) H-PASSED 3RD READING.
- S. 684 (HENDERSON) HENDERSONVILLE CHARTER.(6/22) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- #S. 730 (HALIFAX) COUNTY COMMISSIONER DISTRICTS. RATIFIED CH. 681.
- #S. 742 (BUNCOMBE) METRO WATER DIST.-CIVIL SERVICE. RATIFIED CH. 682.
- S. 762 (ROBESON) ST. PAULS CHARTER. H-PASSED 3RD READING.
- #S. 771 (YANCEY) RACCOON AND OPOSSUM HUNTING. RATIFIED CH. 683.
- #S. 795 (GUILFORD) HIGH POINT POLICE JURISDICTION. RATIFIED CH. 684.

- #S. 798 (HAYWOOD) COUNTY AIRPORT AUTHORITY.(6/22) S-POSTPONED INDEF.
- #S. 804 (GUILFORD) HIGH POINT CIVIL SERVICE ACT. RATIFIED CH. 686.
- #S. 809 (ROBESON) LUMBERTON SCHOOL BOUNDARIES. RATIFIED CH. 687.
- S. 835 (HALIFAX, WARREN) SCHOOL TAX REFUND. S-PASSED 2ND & 3RD READING.
- S. 847 (HALIFAX) ROANOKE RAPIDS CITY LIMITS. S-PASSED 2ND READING.
- S. 854 (DURHAM) ELECTION OF MERGED SCHOOL BOARD. S-PASSED 3RD READING.
- S. 879 (WAYNE) GOLDSBORO SCHL. BOND ELECTION. S-PASSED 2ND READING.
- H. 639 (BRUNSWICK) LELAND INCORPORATION.(5/14, 6/28) S-COM AMEND ADOPTED; S-PASSED 2ND READING.
- H. 658 (CARTERET) EMERALD ISLE CORPORATE LIMITS. S-PASSED 2ND READING.
- #H. 676 (DURHAM) COUNTY ABC PROFITS. H-POSTPONED INDEF.
- #H. 898 (BEAUFORT, JONES, ONSLOW, WASHINGTON) NO BEAR HUNTING.(5/14, 6/24) RATIFIED CH. 689.
- #H.1208 (PITT) LEASE OF SCHOOL PROPERTY. RATIFIED CH. 692.
- H.1265 (HAYWOOD) COUNTY AIRPORT AUTHORITY.(6/18) S-PASSED 2ND READING.
- H.1271 (ANSON) FINANCE ACT. H-PASSED 2ND & 3RD READING.
- H.1279 (MECKLENBURG) BOARD OF EDUC.-TERM OF MEMBERS. H-PASSED 2ND & 3RD READING.
- H.1280 (MECKLENBURG) BOARD OF EDUC.-PAY OF MEMBERS. H-PASSED 2ND & 3RD READING.
- H.1295 (CLEVELAND) FALLSTON CHARTER. H-PASSED 3RD READING.
- H.1302 (BUNCOMBE) BD. OF TAX SUPERVISION.(6/25) H-PASSED 3RD READING.
- H.1320 (CRAVEN) NEW BERN POLICE DEP'T. H-PASSED 3RD READING.
- H.1334 (DURHAM) DURHAM CITY COUNCIL MEETINGS. H-PASSED 3RD READING.
- H.1335 (CLEVELAND) EARL STATION CHARTER. H-PASSED 3RD READING.
- H.1338 (LINCOLN) INCORPORATING NEW TOWNS. H-PASSED 3RD READING.
- H.1344 (CHOWAN) EDENTON STREETS AND SIDEWALKS. H-PASSED 3RD READING.
- H.1406 (GUILFORD) GREENSBORO HOUS DEV CL'HOUSE COMM'N. H-PASSED 3RD READING.

Next Session of House: 12 noon, Tuesday, June 29, 1971.

Next Session of Senate: 11:45 a.m., Tuesday, June 29, 1971.



DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 120

-1157-

TUESDAY, JUNE 29, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 900 Fair Plan extension
Introducer: Rauch

GS 58
Sent to INSUR

"To amend Article 18B of Chapter 58 of the General Statutes of North Carolina to extend the Fair Plan to municipalities containing a population of 2500 or more."
Adds new GS 58-173.17(b) defining "urban area" as including all property located within boundaries of incorporated city with population of 2500 or more, according to 1970 census. Adds new GS 58-173.18(b) providing that if Comm'r of Insurance fails to approve plan submitted, Comm'r to establish and maintain such plan. Makes technical changes conforming to the submission of a revised Plan.

S 903 Funds to buy Baldhead Island
Introducer: Kirby

APPROPRIATION
Sent to APPROPRN

"To provide an appropriation for the acquisition of Baldhead Island." Appropriates \$4,750,000 from General Fund to Dep't of Administration as title indicates. Effective July 1, 1971.

S 904 Cap. improvement bond vote (Iden. H 1454)
Introducers: Moore and others

APPROPRIATION
Sent to APPROPRN

"To authorize the issuance of \$52,647,000 in bonds of the State to provide for capital improvements for State institutions and agencies, subject to a vote of the qualified voters of the State." Identical with H 1454, digested in House section of today's Bulletin.

S 905 No pyramid or chain schemes (Iden. H 1395)
Introducer: McLendon

GS 14
Sent to COURTS

"To prohibit pyramid and chain schemes." Identical with H 1395, digested in Bulletin No. 116, p. 1097.

S 906 Ins. prem.-credit cards (Iden. H 1467)
Introducers: Knox and others

GS 58
Sent to INSUR

"To amend G.S. 58-61.2 so as to permit the charging of insurance premiums to credit card accounts and the collection thereof where the laws requiring counter-signature by a licensed agent resident in North Carolina are complied with and said agent receives the applicable commission." Identical with H 1467, digested in the House section of today's Bulletin.



HOUSE

H 1450 Permit required to buy liquor GS 18
 Introducers: J. M. Johnson and others Sent to FINANCE

"To prohibit the purchase of alcoholic beverage without a purchase permit issued by the State Board of Alcoholic Control." On and after Sept. 1, 1971 requires any person purchasing liquor in ABC store have permit (renewable yearly), with 1/2 of \$2 permit fee to go to State General Fund and 1/2 to be divided equally among counties and all incorporated towns and cities of State. Authorizes State Bd. to promulgate rules to carry out act. Makes violation of act misdemeanor punishable by fine, imprisonment up to 2 years, or both.

H 1451 More funds for Medicaid APPROPRIATION, GS 108
 Introducers: J. M. Johnson and others Sent to APPROPRN

"To provide supplemental appropriations to the State Department of Social Services for the Medical Assistance Program (MEDICAID)." Appropriates to Dep't of Social Services additional \$2,986,000 for fiscal year 1971-72 and like sum for fiscal year 1972-73 for Medical Assistance Program. Effective July 1, 1971.

H 1452 Selling DMV records GS 20
 Introducer: Beatty Sent to FINANCE

"To permit the Department of Motor Vehicles to release vehicle registration records upon the payment of a fee." Adds new GS 20-43(d) permitting furnishing and copying records of vehicle registration for fee of 50¢ per registration. Permits furnishing records without charge to federal, State, county, and city agencies if restricted to governmental uses. Effective Jan. 1, 1972.

H 1453 Amend Ch. 688, 1971 SL GS 20
 Introducer: Speed Sent to CALENDAR

"Amending Chapter 688 of the 1971 Session Laws relating to the manner of transportation of dropping, sifting, blowing, leaking or otherwise escaping loads." Inserts in Ch. 688, 1971 SL (H 93, "Secure loads on trucks") provision act shall not restrict the transportation of poultry or livestock.

H 1454 Cap. improvement bond vote (Iden. S 904) APPROPRIATION
 Introducers: Messer and others Sent to APPROPRN

"To authorize the issuance of \$52,647,000 in bonds of the State to provide for capital improvements for State institutions and agencies, subject to a vote of the qualified voters of the State." Authorizes State Treasurer, subject to favorable vote by majority of qualified voters of the State, and with consent of Governor and Council of State, to issue and sell "State Educational Institutions Capital Improvement Bonds" not exceeding \$35,572,000 for capital improvements at State's educational institutions and agencies as follows:

University of North Carolina at Chapel Hill		\$3,645,000
Dramatics Art Building	<u>\$3,645,000</u>	
North Carolina State University at Raleigh		5,255,000
General Academic Building	<u>5,255,000</u>	
University of North Carolina at Greensboro		1,550,000
Addition to Life Sciences Building	<u>1,550,000</u>	
University of North Carolina at Charlotte		3,810,000
Earth-Life Science Building	<u>3,810,000</u>	

University of North Carolina at Asheville		\$1,575,000
Social Science Classroom Building	<u>\$1,575,000</u>	
University of North Carolina at Wilmington		2,097,000
Marine Sciences and Oceanology Building	<u>2,097,000</u>	
East Carolina University		3,740,000
School of Art Building	<u>3,740,000</u>	
Western Carolina University		5,735,000
Humanities Building	<u>5,735,000</u>	
Appalachian State University		5,320,000
Fine Arts Center	<u>5,320,000</u>	
Pembroke State University		1,170,000
Classroom Building	<u>1,170,000</u>	
Winston-Salem State University		1,675,000
Communications Building	<u>1,675,000</u>	

Provides for issuance of "State Capital Area Building Bonds" not to exceed \$6,960,000 for State Office Building. Provides for "State Ports Bonds" not to exceed \$6,115,000 for open dock and dock extensions at Morehead City Port (\$5,565,000) and gantry crane at Wilmington (\$550,000). Authorizes issuance of "State Museum Building Bonds" not exceeding \$2,000,000 for Museum of Art Building. Authorizes issuance of "State Zoological Park Bonds" not to exceed \$2,000,000 for acquisition for construction of State Zoological Park.

Permits Treasurer, with consent of Governor and Council of State, to issue and sell, at one time or from time to time, authorized bonds as consolidated bond issues having appropriate designations; and to borrow money at lowest interest obtainable. Provides for ballot with separate issue on each proposed capital outlay.

H 1456 Consolidating higher education (Iden. S 893) GS 116
Introducers: Martin and others Sent to HIGHER ED

"To consolidate the institutions of higher learning in North Carolina." Identical with S 893, digested in Bulletin No. 119, p. 893.

H 1457 (Joint Resolution) Study comm'n-school unions STUDY, GS 115
Introducer: Whichard Sent to EDUCATN

"Creating a study commission on professional negotiations between employee associations and school boards." Creates legislative study comm'n to consider providing an act for professional negotiations between employee associations and school boards, establishing orderly procedures governing relationships between them which are designed to meet the special needs of public education. Provides comm'n to be composed of 19 members; 4 members of House appointed by Speaker; 2 members of Senate appointed by Pres. of Senate; 6 classroom teachers, one principal, one supervisor, and one superintendent appointed by Gov. from list presented by Divisions of NC Assoc. of Educators; and one from State Dep't Public Instruction, one from NC School Bds. Assoc., one representing State-supported institutions of higher education, and one representing State-supported community colleges, all appointed by Gov. Provides for payment of comm'n expenses from Contingency and Emergency Fund. Provides comm'n to report to Gov. by Oct. 1, 1972, and that Gov. shall transmit report to 1973 General Assembly.

H 1458 Possessory lien; correction-2 (Iden. S 895)
Introducer: Whichard

GS 44A
Sent to CALENDAR

"To amend G.S. 44A-2 to resolve an inconsistency." Identical with S 895, digested in Bulletin No. 119, p. 1148.

H 1459 Possessory lien; correction-1 (Iden. S 894)
Introducer: Whichard

GS 44A
Sent to CALENDAR

"To correct an inconsistency in G.S. 44A-2 by repealing Chapter 261 of the 1971 Session Laws." Identical with S 894, digested in Bulletin No. 119, p. 1148.

H 1461 Revoc. procedure-insur. licenses (Iden. S 897)
Introducer: Leatherman

GS 57, 58
Sent to CALENDAR

"To amend Article 3 of Chapter 58 and Chapter 57 of the General Statutes of North Carolina to provide for notice and opportunity to be heard on revocation or suspension of license or certificate of authority issued by the Commissioner of Insurance." Identical with S 897, digested in Bulletin No. 119, p. 1149.

H 1462 Farm products definition
Introducers: Lilley and Hardison

GS 20
Sent to CALENDAR

"To amend G.S. 20-88(b)(4) so that nursery products will be included within the definition of farm products." As title indicates, thereby permitting vehicles transporting nursery products to pay farmer's rates for licensing vehicles.

H 1465 Conform 1971 enacting clauses (Iden. S 890)
Introducer: Andrews

CONSTITUTION
Passed three readings and
sent to Senate

"To conform the enacting clause of bills before the 1971 General Assembly to the requirements of the Constitution which takes effect on July 1, 1971." Identical with S 890 digested in Bulletin No. 119, p. 1147.

H 1466 Funds for aid to aged increase
Introducers: Lawing and others

APPROPRIATION, GS 108
Sent to APPROPN

"To appropriate funds to the State Department of Social Services for increased payments in aid to the aged." Appropriates to Dept. of Soc. Serv. out of General Fund \$206,795 for fiscal year 1971-72 and like sum for fiscal year 1972-73 to increase payments in aid to aged. Effective July 1, 1971.

H 1467 Insur. prem.-credit cards (Iden. S 906)
Introducer: High

GS 58
Sent to CALENDAR

"To amend G.S. 58-61.2 so as to permit the charging of insurance premiums to credit card accounts and the collection thereof where the laws requiring countersignature by a licensed agent resident in North Carolina are complied with and said agent receives the applicable commission." As title indicates.

LOCAL BILLS INTRODUCED

SENATE

S 899 School bd. compensation
Introducer: Joyner

IREDELL
Sent to EDUCATN

"To provide for the compensation of members of the Iredell County Board of Education." Provides bd. members shall receive \$20 per meeting for attending regular meetings, 10¢ per mile travel expenses to and from meeting place, and reimbursement for reasonable expenses while performing bd. business. Effective Dec. 1, 1972.

S 901 Chadbourn beer sales
Introducer: Frink

COLUMBUS
Sent to ABC

"To allow cold beer to be sold off premises in Chadbourn." Repeals Sec. 2, Ch. 212, SL 1951 thereby permitting off premises sale of cold beer in Chadbourn.

S 902 Bd. education elections
Introducer: Gudger

YANCEY
Sent to LOC GOVT

"To provide for the nomination and election of members of the Yancey County Board of Education." Repeals Ch. 460, 1969 SL, and establishes procedures for the election of a five member Bd. from two districts in the county, members to serve four year terms. First Bd. elected under act to take office Dec. 1972.

HOUSE

H 1455 Patterson Springs incorporation
Introducers: Falls and Mauney

CLEVELAND
Sent to CALENDAR

"To incorporate the Town of Patterson Springs, in Cleveland County, subject to an election." Calls for an election on Aug. 21, 1971, on question of incorporating Town, to be voted on by voters within proposed corporate limits of Town. Sets forth proposed charter giving Town usual powers of municipal corporation, establishes governing bd. of mayor and 4 comm'rs, sets corporate limits, establishes offices of town clerk, attorney, tax collector, and accountant.

H 1460 Minnesott Beach incorporation
Introducer: Bright

PAMLICO
Sent to CALENDAR

"To incorporate the Town of Minnesott Beach in Pamlico County." Incorporates Minnesott Beach. Sets out corporate boundaries and powers. Establishes mayor/commissioner form of government and appoints initial officers.

H 1463 County comm'r elections
Introducers: Barker, Bright, and Mason
by request

CRAVEN
Sent to CALENDAR

"To increase the number of county commissioners, to provide for their election by districts and numbered seats in Craven County." Increases number of county comm'rs from five to seven to be elected from three districts.

H 1464 Amend Ch. 615, 1971 SL
Introducer: McMichael

ROCKINGHAM
Passed three readings
and sent to Senate

"To amend Chapter 615 of the Session Laws of 1971 relating to the division of ABC profits in the City of Reidsville." Makes technical change in cited act.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

- S 33 Budget appropriation (Iden. H 53; digested in Bulletin No. 7 on unnumbered green pages following p. 46; Committee Substitute digested in Bulletin No. 117, p. 1115; 6/28/71 amendments digested in Bulletin No. 119, p. 1151)
First amendment of 6/28/71 withdrawn.
- S 739 No hitchhiking on interstates (digested in Bulletin No. 101, p. 903; amendment digested in Bulletin No. 119, p. 1152)
Amendment adopted in Senate 6/29/71 deletes soliciting rides from activity prohibited.
- S 776 Locating elevator wiring diagrams (digested in Bulletin No. 108, p. 981)
Amendment adopted in Senate 6/29/71 deletes requirement that diagram be located in machine room and makes technical change.
- S 807 Gas station attendants required-2 (digested in Bulletin No. 111, p. 1016)
Amendment adopted in Senate 6/29/71 prohibits as misdemeanor the sale of gasoline to public by dispensing nozzles utilizing spring clips or other devices designed to allow dispensing other than manual dispensing by the attendant.
- S 862 Power plant siting (digested in Bulletin No. 116, p. 1093)
Amendments adopted in Senate 6/29/71: (1) include Dep't of Archives and History as party to certification proceeding; (2) add requirement in condemnation provision that either owner or utility may obtain jury trial on issue of just compensation for land taken and require that upon application of party in interest court must pay money deposited on account of just compensation to be awarded (was permissive); and (3) make technical changes.

HOUSE BILLS

- H 548 Child abuse reporting (digested in Bulletin No. 56, p. 402; Committee Substitute digested in Bulletin No. 102, p. 915)
Amendments adopted in Senate 6/29/71: (1) provide that data furnished by Central Registry may not be used in any hearing or court proceeding unless based upon a final judgment of a court; and (2) delete requirement that to be convicted of a misdemeanor under act person inflicting abuse upon a child must cause or create substantial risk of death or disfigurement or impairment of physical health or loss or impairment of function of any bodily organ.
- H 627 Discovery of debtor's assets (digested in Bulletin No. 61, p. 456; Committee Substitute digested in Bulletin No. 96, p. 847)
Amendment adopted in Senate 6/29/71 deleting proviso that fact the notice and motion cannot be served because debtor cannot be found or is not subject to service not to be bar to hearing.
- H 687 Repealing charters-inactive towns (digested in Bulletin No. 64, p. 492)
Amendments adopted in Senate 6/29/71: (1) delete Jackson Springs; (2) delete Williamsborough; (3) delete Norman; (4) delete Dudley; (5) delete Bethania, Vienna, and Germanton; (6) delete Sneedsborough; and (7) correct erroneous chapter number.
- H 823 Purchase prefab schools (digested in Bulletin No. 77, p. 620)
Amendments adopted in Senate 6/29/71 delete Winston-Salem/Forsyth from the bill and add Union County.

H 1090 Grounds for divorce-insanity (digested in Bulletin No. 96, p. 845)

Committee Substitute adopted in House 6/29/71 changes time requirements in GS 50-5(6) from 5 years to 3, makes corresponding changes in bill, and makes act effective Jan. 1, 1972, rather than upon ratification.

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SENATE AND HOUSE

CALENDAR ACTION

JUN.29,1971

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 33 BUDGET APPROPRIATION.(6/24, 6/28) H-RECONSIDERED 2ND READING; H-AMENDMENT RECONSIDERED; H-AMENDMENT WITHDRAWN; H-PASSED 2ND & 3RD READING.
 #S. 34 CAPITAL APPROPRIATION.(6/24) RATIFIED CH. 693.
 S. 35 NON-VOTED CAPITAL.(6/24) H-REC FROM SENATE; H-PASSED 2ND READING.
 S. 107 LIQUOR LAW REVISION.(3/24, 3/25, 6/29) H-COM AMENDS ADOPTED; H-PASSED 2ND READING.
 S. 195 LIVESTOCK LAW REWRITE.(3/25, 6/07) S-REC TO CONCUR IN H AMEND; S-PLACED ON CAL JUNE 30.
 S. 221 JUVENILE JURISDICTION. S-REPTD FAV.
 S. 227 ACCIDENT REPORTS, PARKED AUTOS.(6/10) H-REPTD FAV AS AMENDED.
 S. 302 DUAL OFFICE HOLDING.(6/15, 6/16) H-PASSED 2ND & 3RD READING.
 S. 420 OIL POLLUTION-UTILITY SITES.(6/24) H-REPTD FAV.
 S. 432 WATER-AIR MANAGEMENT, CONTROLS.(6/29) S-REP FAV COM SUB AS AMEND; S-COM SUBSTITUTE ADOPTED; S-PLACED ON CAL JULY 1.
 S. 446 UNIFORM CRIME REPORTING SYSTEM.(6/24) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
 S. 538 NC MEM. HOSP. DIRECTORS.(6/16) S-REPTD FAV.
 S. 583 AMENDING NON-PROFIT CORP. ACT.(6/23) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
 S. 598 CORPORATION ACT AMENDMENTS.(6/24) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
 S. 628 PUB. BLDGS., SYSTEMS MGMT. LAWS.(6/14) H-REPTD FAV AS AMENDED; H-RE-REF COM ON ST GOVT.
 S. 638 AUTO INSUR. CLASS. 260 PLAN.(6/24) S-REC TO CONCUR IN H AMEND; S-PLACED ON CAL JUNE 30.
 S. 643 MILK COMM'N LAW REWRITE.(6/28) S-PASSED 3RD READING.
 S. 658 DEFAULT JUDGMENTS.(6/25) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
 S. 668 HIGHWAY CONST. CONTRACTS AND BONDS.(6/23) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
 S. 674 OCCUPATIONAL DEAFNESS, COMP..(6/25) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
 S. 678 ESCHEAT PENALTY. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
 S. 679 ESCHEAT REPORTS. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
 S. 681 ESCHEAT LAW REVISION.(6/25) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.

- S. 682 ESCHEAT-FEDERAL COURT. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 688 ESTABLISHMENT OF CARTWAYS. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 719 INTERSTATE FIRE FIGHTING COMPACT.(6/18) H-REPTD FAV.
- S. 733 WORKMEN'S COMP.-EMPLOYEE DEATH-3. S-REPTD FAV AS AMENDED.
- #S. 739 NO HITCHHIKING ON INTERSTATES.(6/28, 6/29) S-FLOOR AMEND ADOPTED; S-TABLED.
- S. 748 LICENSE AUTO DAMAGE APPRAISERS. H-REPTD FAV.
- S. 750 ADVERTISING SALE OF SUBDIVISIONS. H-REC FROM SENATE; H-REF TO COM ON JUDIC 2.
- S. 760 (J.RES.) MEMORIALIZING RALPH W. SLATE.(6/25) S-REC TO CONCUR IN H AMEND; S-PLACED ON CAL JUNE 30.
- S. 761 AMEND LIVESTOCK MKT. ACT.(6/28) S-PASSED 3RD READING.
- S. 776 LOCATING ELEVATOR WIRING DIAGRAMS.(6/29) S-FLOOR AMEND ADOPTED; S-PASSED 3RD READING.
- S. 783 STATE GOALS AND POLICY COUNCIL. S-REPTD FAV.
- S. 788 TRAFFIC LAWS-PEMBROKE STATE UNIV.. S-REPTD FAV.
- S. 796 CONFORMING STATUTES TO GS CH. 7A. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 805 JUDGE ELECTION DATE. H-REPTD FAV; H-PASSED 2ND & 3RD READING.
- S. 807 GAS STATION ATTENDANTS REQUIRED-2.(6/29) S-FLOOR AMEND ADOPTED; S-FLOOR AMENDS TABLED; S-PASSED 3RD READING.
- S. 812 PUBLIC HEALTH SERVICES-STUDY COMM'N. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 815 BUS LICENSES. S-PASSED 3RD READING.
- S. 822 HIGHER ED. SELF-LIQUIDATING BONDS. S-PASSED 3RD READING.
- S. 823 CREDIT FRAUDS. H-REC FROM SENATE; H-REF TO COM ON JUDIC 2.
- S. 839 LICENSING LIVESTOCK DEALERS-2. S-PASSED 3RD READING.
- S. 851 MARINE SCIENCE COUNCIL. S-REPTD FAV.
- S. 853 (J.RES.) STUDENT MORALITY. S-REPTD FAV AS AMENDED.
- S. 862 POWER PLANT SITING.(6/29) S-COM AMENDS ADOPTED; S-PASSED 2ND READING.
- S. 876 COMMERCIAL FISHERIES STUDY COMM'N. S-REPTD FAV.
- S. 887 REVIEW OF PROBATION. S-REPTD FAV AS AMENDED.
- S. 894 POSSESSORY LIEN; CORRECTION-1. S-REPTD FAV.
- S. 895 POSSESSORY LIEN; CORRECTION-2. S-REPTD FAV.
- #H. 54 CAPITAL APPROPRIATION.(6/24) H-POSTPONED INDEF.
- H. 55 NON-VOTED CAPITAL.(6/24) H-POSTPONED TO JUNE 30.
- H. 59 UNIFORM MUNICIPAL ELECTION LAWS.(6/18, 6/22, 6/23) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 119 NEW INDUSTRY ENVIRONMENTAL IMPACT.(6/22) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H. 153 MUNICIPAL LAW REVISION.(6/04, 6/23) H-REF TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- #H. 262 JUDICIAL COUNCIL REPEAL. H-REPTD UNFAV.
- #H. 313 WILDLIFE PROTECTOR RETIREMENT. H-REPTD UNFAV.
- H. 339 CHEMICAL TEST REFUSAL REVOCATION-2. H-REPTD FAV.
- H. 392 ARSON LAW CHANGES.(5/25, 5/26) S-REPTD FAV AS AMENDED.
- H. 418 AERONAUTICS REVISION.(6/04) S-REPTD FAV.

- H. 548 CHILD ABUSE REPORTING.(6/03, 6/09, 6/09, 6/29) S-COM AMENDS ADOPTED; S-PASSED 2ND & 3RD READING.
- H. 577 ARREST OF TRAMPS. S-PASSED 2ND & 3RD READING.
- H. 578 INJURIES BY TRAMPS. S-PASSED 2ND & 3RD READING.
- #H. 606 FIREMEN'S PENSION FUND ELIGIBILITY. H-REPTD UNFAV.
- H. 627 DISCOVERY OF DEBTORS ASSETS.(5/26, 6/29) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- H. 630 MASS GATHERINGS-REGULATION.(6/04, 6/10, 6/22) S-PASSED 2ND & 3RD READING.
- H. 687 REPEALING CHARTERS-INACTIVE TOWNS.(5/26, 5/26, 6/02, 6/29) S-COM AMENDS ADOPTED; S-PASSED 2ND READING.
- H. 689 HIRING CERTAIN SERVANTS. S-PASSED 2ND & 3RD READING.
- H. 699 FILLING VACANCIES-COUNTY COMM'RS.(5/26) S-REPTD FAV.
- H. 772 COUNTY ORDINANCE PROCEDURE.(5/12) S-PASSED 2ND & 3RD READING.
- H. 817 STUDY COMM'N,UNC UTILITIES. S-REPTD FAV.
- H. 864 CERTAIN STATE AGENCIES ABOLISHED. H-REPTD FAV AS AMENDED.
- H. 908 INS. RATE APPEALS TO CT. OF APPS.. S-PASSED 2ND & 3RD READING.
- H. 935 PRIMARY CANDIDATE QUALIFICATIONS.(5/28, 6/23) S-PASSED 3RD READING.
- H. 960 BARBER'S FEES. S-REC FROM HOUSE; S-REF TO COM ON FINANCE.
- H. 985 CONFORM GS 115 TO CONSTITUTION.(6/14) S-PASSED 2ND & 3RD READING.
- H.1001 GIFTS TO MINORS CHANGES.(6/25) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
- H.1014 (J.RES.) COMMENDING EDEN'S JULY 4TH. S-REC FROM HOUSE; S-REF TO COM ON RULES.
- H.1027 LICENSE FEE-CHIROPRACTOR. S-PASSED 3RD READING.
- #H.1039 TEACHER PENSIONS,PRE-1941. H-REPTD UNFAV.
- H.1050 RESIDENT HUNTING LICENSES. S-PASSED 2ND & 3RD READING.
- H.1062 DISCOVERY OF INSURANCE INFORMATION. S-REPTD FAV.
- #H.1075 PAY STATE SALARIES SEMIMONTHLY. H-REPTD UNFAV.
- H.1081 NO DISCRIMINATION HANDICAPPED. S-REPTD FAV.
- #H.1089 LOCAL GOVERNMENT SERVICE RET. CREDIT. H-REPTD UNFAV.
- H.1090 GROUNDS FOR DIVORCE-INSANITY.(6/29) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H.1099 NC HOUSING CORPORATION ACT-AMEND. S-REPTD FAV.
- H.1103 TRANSFER CAPITOL POLICE TO SBI.(6/25) S-REC FROM HOUSE; S-REF TO COM ON ST GOVT.
- H.1128 PUB. BLDGS.,SYSTEMS MGMT. LAWS. H-RE-REF COM ON ST GOVT.
- H.1213 SECURITIES INVESTMENT LAW. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
- H.1249 SENTENCE CREDIT-ANOTHER JURISD.. S-REC FROM HOUSE; S-REF TO COM ON COURTS.
- H.1270 TAXING PROPERTY HAULING VEHICLES.(6/23) S-REC FROM HOUSE; S-REF TO COM ON FINANCE.
- H.1324 OFF-STREET VEHICLES. H-REPTD FAV.
- H.1340 (J.RES.) GENERAL ASSEMBLY STUDY COMM'N. H-REPTD FAV.
- #H.1345 10-YEAR LIMITED DRIVING PRIVILEGE. H-REPTD UNFAV.
- H.1357 CHANGE OF VENUE MOTIONS. H-REPTD FAV.
- #H.1360 SUPPLEMENTAL APPROPRIATIONS LIMIT. H-REPTD UNFAV.

- H.1380 SANITARY DIST. BOND INTEREST. H-REPTD FAV.
- H.1382 (J.RES.) OPPOSING POLLUTION DILUTION. H-REPTD FAV.
- H.1394 MODIFY APPELATE PROCEDURE. H-REPTD FAV.
- H.1395 NO PYRAMID OR CHAIN SCHEMES. H-REPTD FAV AS AMENDED.
- H.1409 EXPANDING COUNTY EMINENT DOMAIN. H-REPTD FAV AS AMENDED.
- H.1422 MUNICIPAL ELECTONS & LAND USE. H-REPTD FAV.
- H.1425 COMPENSATION OF COUNTY COMM^{RS}. H-REPTD FAV.
- H.1428 STATE SELF-INSURER. H-REPTD FAV.
- #H.1438 (J.RES.) UNC TRUSTEES ELECT., TIME. RATIFIED RES. 92.
- H.1440 FIRST OFFENDER EXPUNCTION. H-REPTD FAV.
- H.1449 (J.RES.) MEMORIALIZING JUDGE CARR. S-REC FROM HOUSE; S-REF TO COM ON RULES.
- H.1465 CONFORM 1971 ENACTING CLAUSES. H-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 313 (RANDOLPH) ADDITIONAL SEAT OF COURT. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- #S. 624 (CASWELL) YANCEYVILLE INCORPORATION.(6/15) RATIFIED CH. 694.
- #S. 762 (ROBESON) ST. PAULS CHARTER. RATIFIED CH. 695.
- S. 801 (BUNCOMBE) BD. OF COMMISSIONERS-COMPENSATION. S-REPTD FAV.
- S. 835 (HALIFAX, WARREN) SCHOOL TAX REFUND. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 843 (CALDWELL) LENOIR ELECTIONS. S-REPTD FAV AS AMENDED.
- S. 847 (HALIFAX) ROANOKE RAPIDS CITY LIMITS. S-PASSED 3RD READING; H-REC FROM SENATE; H-REF TO COM ON JUDIC 2.
- S. 854 (DURHAM) ELECTION OF MERGED SCHOOL BOARD. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 858 (GUILFORD) GREENSBORO HOUS.DEV.CL^HHOUSE COMM^N. S-REPTD FAV.
- S. 865 (GASTON) GASTONIA CHARTER. S-REPTD FAV.
- S. 868 (MECKLENBURG) MUNICIPAL LAW REVISION CHANGES. S-REPTD FAV.
- S. 869 (MECKLENBURG) EXTRA-TERRITORIAL POWERS. S-REPTD FAV.
- S. 879 (WAYNE) GOLDSBORO SCHL. BOND ELECTION. S-PASSED 3RD READING.
- H. 639 (BRUNSWICK) LELAND INCORPORATION.(5/14, 6/28) S-PASSED 3RD READING.
- #H. 658 (CARTERET) EMERALD ISLE CORPORATE LIMITS. S-PASSED 3RD READING; RATIFIED CH. 696.
- H. 823 (FORSYTH, MECKLENBURG) PURCHASE PREFAB SCHOOLS.(6/04, 6/29) S-FLOOR AMENDS ADOPTED; S-PASSED 2ND & 3RD READING.
- H.1140 (DUPLIN) WALLACE CONTRACT BID LIMITS.(6/17) S-REPTD FAV.
- H.1186 (CATAWBA) TAX COLLECTOR. S-REPTD FAV.
- H.1195 (MOORE) INCORPORATE WEST END.(6/21) S-REPTD FAV.
- H.1203 (ROBESON) MAXTON CHARTER.(6/18) S-REPTD FAV.
- H.1216 (AVERY) COUNTY COMM^{RS}-OFFICE TERMS. S-REPTD FAV.
- H.1225 (TYRRELL) CUSSING ON HIGHWAYS.(6/21, 6/21) S-REPTD FAV.
- H.1240 (GRANVILLE) STOVALL BONDS. S-REPTD FAV.
- H.1242 (ROWAN) CITY,COUNTY ZONING.(6/18) S-REPTD FAV.
- H.1252 (MITCHELL) TAX LISTING BY MAIL. S-REPTD FAV.
- H.1265 (HAYWOOD) COUNTY AIRPORT AUTHORITY.(6/18) S-PASSED 3RD READING.

- H.1271 (ANSON) FINANCE ACT. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1278 (NORTHAMPTON) BOARD OF EDUCATION MEMBERS. S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
- H.1279 (MECKLENBURG) BOARD OF EDUC.-TERM OF MEMBERS. S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
- H.1280 (MECKLENBURG) BOARD OF EDUC.-PAY OF MEMBERS. S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
- H.1283 (UNION) MONROE ELECTION PROCEDURE. S-REPTD FAV.
- H.1284 (UNION) MONROE SCHOOL BOUNDARIES. S-REPTD FAV.
- H.1289 (GUILFORD) HIGH POINT CIVIL SERVICE ACT. S-REPTD FAV.
- H.1295 (CLEVELAND) FALLSTON CHARTER. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1297 (BUNCOMBE, HENDERSON) ASHEVILLE-HENDERSONVILLE AIRPORT. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1303 (DAVIDSON) LEXINGTON-RELEASE OF EASEMENT. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1320 (CRAVEN) NEW BERN POLICE DEP'T. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1321 (PERQUIMANS) WINFALL COMM'RS. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1334 (DURHAM) DURHAM CITY COUNCIL MEETINGS. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1335 (CLEVELAND) EARL STATION CHARTER. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1338 (LINCOLN) INCORPORATING NEW TOWNS. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1344 (CHOWAN) EDENTON STREETS AND SIDEWALKS. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1358 (CLEVELAND) CASAR LIVES AGAIN. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1361 (MOORE) AMEND CHAPTER 279, 1971 SL. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1376 (STANLY) COUNTY TAX COLLECTOR. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1390 (RICHMOND) AMENDING NORMAN'S CHARTER. (6/25) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1400 (NASH) INDUST. DEV. FUNDS. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1405 (NEW HANOVER) COUNTY ACCOUNTANT. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1406 (GUILFORD) GREENSBORO HOUS DEV CL'HOUSE COMM'N. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1431 (WAKE) RALEIGH CIVIC CNTR. AUTH.. H-REPTD FAV.
- H.1436 (WAKE) AMEND RALEIGH CHARTER. H-REPTD FAV AS AMENDED.
- H.1442 (WAKE) CARY TOWN CHARTER. H-REPTD FAV AS AMENDED.
- H.1464 (ROCKINGHAM) AMEND CH. 615, 1971 SL. H-PASSED 2ND & 3RD READING.

ext Session of House: 11:30 a.m., Wednesday, June 30, 1971.

ext Session of Senate: 12 noon, Wednesday, June 30, 1971.

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DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 121

-1171-

WEDNESDAY, JUNE 30, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 908 Drainage dist. title acquisition
Introducer: Wood

GS 156
Sent to JUDIC 1

"To amend G.S. 156-70.1 relating to the procedure for acquisition of title by drainage districts." Rewrites GS 156-70.1 to require notice be given to each landowner of the lands on which land, easement or right-of-way are sought, with notice in writing and mailed to last known address of landowner upon filing final report of board of viewers with court. Provides for landowner desiring compensation to file claim setting forth name and address of landowner with court in which proceeding is pending on or before the hour of commencement of hearing upon the final report. Provides for board of viewers to consider claims and report to court their opinion of fair value. Requires landowners to be notified in writing by board of amount recommended. Provides for hearing before court as to amount of award recommended by board if landowner files written request within 10 days after mailing of notification. Provides for appeal by landowner upon question of value of land, to be determined by jury, if so requested by either party. Provides that if in opinion of court the cost of construction plus amount of damages is not greater than benefits to accrue to affected land, then court to confirm report of viewers. Provides for determination by court at conclusion of hearing on final report percentage of ownership of land affected.

S 909 State ret.-admin. expenses
Introducer: Henley

GS 135
Sent to APPROPN

"To provide administrative expenses for the Teachers' and State Employees' Retirement System." Provides administrative expenses for operation of System be paid from Pension Accumulation Fund held by System. Effective July 1, 1971.

S 910 (Joint Resolution) 4 lane roads-east & west NC
Introducer: Bowles

APPROPRIATION, STUDY GS 135
Sent to ROADS

"Involving four lane highways for eastern and western North Carolina." Recommends State Highway Comm' expend estimated \$350,000 from its reserve planning funds for feasibility study for development of four-lane highway system in eastern and western NC with report to 1973 General Assembly.

S 911 School bus seat belts required
Introducer: Bowles

GS 115
Sent to HY SAFTY

"To make seat belts mandatory in all public school buses at county expense." Requires seat belts in all school buses, with one belt per student seat, with counties required to bear cost of installation. Effective September 1, 1973.



S 912 Preneed burial contract defined
Introducers: Bowles and Harris

GS 65
Sent to JUDIC 1

"To define a preneed burial contract." Rewrites GS 65-36.1 (3) to redefine 'preneed burial contract' to delete crypt and niche from list of items not included in definition (now, such contract does not include furnishing of cemetery lot, crypt, niche, mausoleum, grave marker, monument). Bill seems to add new GS 65-36.1(a) to provide that payments for furnishing or performance of funeral services or delivery of personal property or other services connected with final disposition of dead human body to be trust funds with receiver as trustee required to deposit payments in financial institution, with interest, dividends or other increases earned by funds so deposited to remain with principal subject to regulations concerning principal and with trust fund to be liable for all taxes on fund or interest, dividends or other increases.

S 913 Setting Lt. Governor's pay (Iden. H 1474)
Introducer: McLendon

APPROPRIATION, GS 147
Sent to APPROPN

"To adjust and fix the compensation and expenses of the Lieutenant Governor." Identical with H 1474, digested in House section of today's Bulletin.

S 914 Setting Council of State pay (Iden. H 1475)
Introducer: McLendon

APPROPRIATION, GS 147
Sent to APPROPN

"To adjust and fix the compensation to be paid the members of the Council of State." Identical with H 1475, digested in House section of today's Bulletin.

S 915 Setting Governor's pay (Iden. H 1473)
Introducer: McLendon

APPROPRIATION, GS 147
Sent to APPROPN

"To adjust and fix the compensation to be paid the Governor of the State of North Carolina." Identical with H 1473, digested in House section of today's Bulletin.

S 916 General Assembly expense payments
Introducer: Patterson

GS 120
Sent to RULES

"Relating to payment of expenses of the General Assembly." Amends GS 120-3.1(b) to provide members of General Assembly travel allowance to be computed by multiplying actual round-trip mileage from member's home to Raleigh by rate per mile allowed by statute to state employees' official travel, rather than 8¢ per mile, and provides that same allowance shall be allowed for members travelling as representatives of General Assembly or its committees or commissions, whether in or out of session, when travel authorized by Leg. Serv. Comm'n. Amends GS 120-3.1(c) to provide for \$25 a day subsistence allowance for members and same allowance on business away from home on official business with approval of Leg. Serv. Comm'n. Amends GS 120-3.1(d) to substitute Leg. Serv. Comm'n for Budget Bureau. Adds new GS 120-3.1(e) providing when Assembly adjourns to a day certain which is more than three days after adjournment, the period between adjournment and convening shall be deemed a period when Assembly not in session. Amends GS 120-3(b) to provide presiding officers of both Houses to receive \$20 per day for each day of regular, special or extra session, adds technical change in GS 120-35 and conforming change in GS 143-8 and 120-32(8). Provides as used in act term "presiding officer" shall not include Lt. Gov. after Dec. 31, 1972.

S 917 Correcting excessive sentences
Introducer: Gudger

GS 148
Sent to CORRECTN

"To amend G.S. 148-4 to impose additional duties on the Commissioner of Correction." Adds sec. to GS 148-4 (defining authority of Comm'r of Correction over prisoners) to require Comm'r of Correction to inspect each sentence upon taking custody of prisoner to determine whether sentence exceeds statutory maximum for crime of prisoner. If Comm'r finds sentence excessive, Comm'r to move sentencing court to vacate sentence and re-sentence prisoner to sentence within maximum authorized by law. Comm'r to bring prisoner before court for this purpose when so directed by court. Failure of Comm'r to perform prescribed duty not to be basis for claim for relief against Comm'r. Effective August 1, 1971

S 918 Amend Ch. 512, 1971 SL
Introducer: McGeachy

GS 20
Sent to JUDIC 2

"To amend Chapter 512 of the Session Laws of 1971 relating to the sale of unclaimed vehicles to reduce the time period within which sale may be made." As title indicates, eliminates proviso that vehicle unclaimed for 90 days may be sold so that vehicle unclaimed for 30 days may be sold after report to Dep't of Motor Vehicles.

S 919 Setting Lt. Governor's pay-2
Introducer: Patterson

APPROPRIATION, GS 147
Sent to APPROPN

"Fixing the compensation and expense allowances of the Lieutenant Governor." Identical in substance with S 913-H 1474, digested in House section of today's Bulletin.

S 920 Solid waste disposal study (Iden. H 1479)
Introducer: Scott

STUDY, GS 47
Sent to CONS & DEV

"Requiring the Legislative Research Commission to study the problems arising from the use of real property for sanitary landfills and for the disposal of solid wastes." Identical with H 1479, digested in House section of today's Bulletin.

S 921 Waste disposal area plats (Iden. H 1478)
Introducer: Scott

GS 47
Sent to CONS&DEV

"To require public agencies to survey and record plats of areas used for solid waste disposal." Requires state and local units of government owning realty used for sanitary landfill or disposal of solid wastes to survey such property by registered professional engineer or land surveyor and prepare accurate map or plat showing area so used to be recorded under GS 47-30 and in office of Register of Deeds of county where property located before March 1, 1972 or within 90 days after such use begins, whichever is later. For purpose of act, provisions of GS 47-30 to apply to every county, but counties operating under laws setting forth regulatory size of maps may continue to use same sizes. Effective January 1, 1972.

S 922 Flood beach protection funds (Iden. H 1468)
Introducer: Allen

APPROPRIATION, GS 104B
Sent to APPROPN

"To authorize the use of a portion of the Department of Water and Air Resources 1969 capital improvement appropriation to supplement the Hurricane Flood Protection and Beach Erosion Control Project Revolving Fund." Identical with H 1468, digested in House section of today's Bulletin.

S 923 Pauper divorces
Introducer: Bailey

GS 1A
Sent to COURTS

"To amend Rule 4 of Section 1A-1 of the North Carolina General Statutes to provide for service of process by posting and mailing to the last known address, under certain circumstances, in pauper actions for absolute divorce." As title indicates, adds new GS 1A-1, Rule 4(j)(9)cl.

S 924 Insurance lapse hearings
Introducers: Norton and Jones

GS 20
Sent to INSUR

"To amend Chapter 20 of the General Statutes to provide a hearing for persons who suffer a lapse in motor vehicle liability insurance coverage and afford relief to individuals who are not at fault in causing such lapse." Adds new GS 20-316 authorizing any person with registration plate revoked under GS 20-309(e) or 20-311 to request hearing within 10 days of receipt of notice of revocation. Requires Dept. of Motor Vehicles to afford hearing as early as practical. In such hearing, agents of Dept. may administer oaths, issue subpoenas for attendance of witnesses and production of books or documents. At conclusion of hearing if agent of Dept. finds continuous financial responsibility has existed or that although continuous financial responsibility has not existed, the lapse is not due to fault on part of persons whose registration has been revoked, Dept. may withdraw order of revocation and person may retain registration plate. Otherwise order of revocation to be affirmed and registration plate surrendered. Effective Sept. 1, 1971.

HOUSE

H 1468 Flood, beach protection-funds (Iden. S 922)
Introducer: Roberson

APPROPRIATION, GS 104B
Sent to APPROPN

"To authorize the use of a portion of the Department of Water and Air Resources 1969 capital improvement appropriation to supplement the Hurricane Flood Protection and Beach Erosion Control Project Revolving Fund." Permits use of up to \$500,000 of the \$1,000,000 appropriated under Subsection IV of Sec. 4 of Ch. 755 of 1969 SL by Dept. of Water and Air Resources for matching funds to supplement funds appropriated to Hurricane Flood Protection and Beach Erosion Control Project Revolving Fund, for non-interest bearing loans not exceeding 10 years, to counties and municipalities to aid financing local participation.

H 1470 Probation Commission funds
Introducer: Messer

APPROPRIATION
Sent to APPROPN

"To appropriate funds to the Probation Commission for the purchase of dictating equipment during the 1971-73 biennium." Appropriates \$31,205 for fiscal year 1971-72 and \$22,910 for fiscal year 1972-73 as title indicates. Effective July 1, 1971.

H 1472 Cape Fear River pilot fees-2
Introducer: G. Rountree

GS 76
Sent to CALENDAR

"Rewriting G.S. 76-13 and G.S. 76-14 relating to the fees of the Cape Fear River pilots." Rewrites GS 76-13 to require all foreign vessels and US vessels sailing under register, over 60 gross tons to take State-licensed pilot from sea to Southport, and from Southport to sea;

pilots from Southport to Wilmington and from Wilmington to Southport are optional, but if one is used, he must be State-licensed. Rewrites pilotage charges based on overall length as follows: up to 500 ft.-\$10.50 per draft ft.; from 550 to 750 ft.-\$12.00 per draft ft.; over 750 ft.-\$13.50 per draft ft. Provides for minimum of 10 ft. for each vessel, and above-stated charges to be increased \$1.00 for each classification. Provides for shifting fee to be \$50.00, and if vessel without power, double regular fee. Provides for charge for detention of pilot onboard because of weather at \$50.00 per day of detention plus furnishing quarters equal to deck officer, plus cost of first class transportation for return passage to Wilmington. Provides for charge of \$20.00 for cancellation not due to weather, when cancelled less than 2 hours before pilot ordered to board vessel. Provides for charge of \$10.00 per hour, or fraction thereof for delay more than 1/2 hour not caused by weather conditions. Repeals Ch. 558, SL 1971 (S 701 digested in Bulletin No. 96, p. 839). Effective July 1, 1971.

H 1473 Setting Governor's pay (Iden. S 915) APPROPRIATION, GS 147
 Introducer: Phillips Sent to APPROPN

"To adjust and fix the compensation to be paid the Governor of the State of North Carolina." Raises Governor's salary from \$35,000 to \$38,000 per year. Effective Jan. 1973.

H 1474 Setting Lt. Governor's pay (Iden. S 913) APPROPRIATION, GS 147
 Introducer: Phillips Sent to APPROPN

"To adjust and fix the compensation and expenses of the Lieutenant Governor." Sets salary of Lt. Governor at \$30,000 per year, with \$4,000 for expenses to be paid monthly. Provides that Lt. Governor to receive no additional compensation as presiding officer of Senate. Effective January 1973.

H 1475 Setting Council of State pay (Iden. S 914) APPROPRIATION, GS 147
 Introducer: Phillips Sent to APPROPN

"To adjust and fix the compensation to be paid the members of the Council of State." Raises salary of Sec. of State, State Auditor, State Treasurer, Comm'r of Agriculture, Comm'r of Labor, and Comm'r of Insurance from \$22,500 to \$25,000 per year. Raises salary of Superintendent of Public Instruction from \$26,000 to \$28,500 per year, and of Attorney General from \$27,000 to \$29,500. Effective July 1, 1971.

H 1476 Group insur-retarded children GS 58
 Introducer: Collins Sent to CALENDAR

"To amend G.S. 58-251.3 relating to coverage for mentally retarded children under group accident and health insurance policies, medical service policies and health service policies." As title indicates, permits coverage by group policies. Act to apply to medical service plan policies and hospital service plan policies issued under GS Ch. 57 as fully as it applies to accident and health policies issued under GS Ch. 58.

H 1477 School personnel-contingent funds APPROPRIATION, GS 115
 Introducer: Miller Sent to APPROPN

"To contingently appropriate funds to the State Board of Education to extend the term of employment of public school personnel." Appropriates \$15,448,472 from general fund to State Bd. of Education for fiscal year 1972-73 to extend employment term for classified principals and supervisors to 12 calendar months and to 9 1/2 months for teachers for fiscal year 1972-73. Calendar months of employment under act to include paid vacation, paid holidays and additional sick leave as provided state employees under State Personnel Act. Authorizes State Bd. of Educ.

to make rules and regulations for effecting act. Appropriation to be contingent upon revenues collected during 1971-72 fiscal year being in excess of estimated collections (\$1,030,185,000) by \$15,448,472. Effective July 1, 1971.

H 1478 Waste disposal area plats (Iden. S 921) GS 47
 Introducer: Harris Sent to CALENDAR

"To require public agencies to survey and record plats of areas used for solid waste disposal." Requires that maps or plats of land owned or leased by local governmental units for sanitary landfills after Jan. 1, 1972, be recorded in register of deeds office pursuant to GS 47-30, or other applicable law, on or before March 1, 1972, or within 90 days after such use of the property begins, whichever is later. Effective Jan. 1, 1972.

H 1479 (Joint Resolution) Solid waste disposal STUDY, GS 47
 study (Iden. S 920) Sent to Calendar
 Introducer: Harris

"Requiring the Legislative Research Commission to study the problems arising from the use of real property for sanitary landfills and for the disposal of solid wastes." As title indicates, directs LRC to study said problems and problems arising from using such lands after use for disposal purposes completed to determine whether regulation and control are necessary to protect public health and public interest in use of such lands. Directs LRC to report findings and recommendations to 1973 General Assembly.

H 1480 Uniform transcript fee-courts GS 7A
 Introducer: Ingram Sent to CALENDAR

"To provide for uniform court transcript fees." Adds new GS 7A-307.1 to require Director of Admin. Office of Courts to establish uniform fee schedule for transcripts in all actions in district and superior court divisions of General Ct. of Justice. Effective October 1, 1971.

H 1481 Revise auto liab. policy GS 20
 Introducer: Ingram Sent to CALENDAR

"To amend section 279.21 of Chapter 20 of the General Statutes of North Carolina relating to requiring statutory policy to cover auto specifically described therein, regardless of ownership." As title indicates. Effective Jan. 1, 1972, and applicable to policies written or renewed after that date.

H 1482 Monroe poultry disease laboratory APPROPRIATION, GS 106
 Introducers: Clark and Hightower Sent to APPROPRN

"To appropriate funds to the State Department of Agriculture for the purchase of equipment for the Poultry Disease Diagnostic Laboratory at Monroe in Union County." Appropriates \$5,000 for 1971-73 biennium as title indicates.

H 1484 No weapons for inmates GS 14, 90
 Introducer: Beatty Sent to CALENDAR

"To republish and relocate provisions of present G.S. 90-113.13 relating to furnishing poison, deadly weapons, cartridges, or ammunition to inmates of charitable or penal institutions." As title indicates, places statutory provision in GS Ch. 14 and designates it GS 14-258.1.

LOCAL BILLS INTRODUCED

SENATE

S 907 Remove exemption
Introducer: Jones

ANSON
Sent to LOC GOVT

"Making Section 1 of Chapter 1003 of the 1969 Session Laws, which removed county exemptions from certain General Statutes, to be applicable to Anson County." Makes GS 153-9(35 1/2) ("Promoting soil and water conservation work") expressly applicable to Anson County.

HOUSE

H 1469 Amend Pineville charter
Introducers: Vogler, Beatty, Campbell, Cobb,
Foley, Hicks and Lawing

MECKLENBURG
Sent to CALENDAR

"To amend Chapter 296 of the 1965 Session Laws, the town charter of the Town of Pineville relating to public services and issuance and sale of bonds on security of excess property and public utilities." Specifies but does not limit permissible utilities and permits utilities to extend outside corporate boundaries.

H 1471 City-county school merger
Introducers: Speros, J.J. Johnson, McFadyen, Odom

ROBESON
Passed 2nd reading

"To provide for the reorganization and consolidation of the Robeson County Board of Education, the St. Pauls City Board of Education, the Fairmont City Board of Education, the Lumberton City Board of Education, the Maxton City Board of Education, and the Red Springs City Board of Education and to create and establish one administrative board for all of the public schools in Robeson County." As title indicates.

H 1483 Waccamaw fishing permitted
Introducers: Green, Soles and Harrelson

COLUMBUS
Passed three readings and
sent to Senate

"Repealing certain fishing prohibitions in the vicinity of Lake Waccamaw." Repeals Ch. 944 and Ch. 1286, 1953 SL (prohibiting fishing in and within two miles of Lake Waccamaw during certain hours).

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 107 Liquor law revision (digested in Bulletin No. 17, p. 107; Committee Substitute digested in Bulletin No. 51, p. 366)

Amendments adopted in House 6/29/71 make; changes in following sections:

(1) GS 18A-40(a) to allow beer and wine permits to be issued for premises located on campuses of private schools and colleges; (2) GS 18A-40(c) to allow beer and wine permits to be issued for premises closer than 50 feet to a school or church, upon approval of State ABC Bd.; (3) GS 18A-16(b) to eliminate prohibition against State or local ABC Bd. members or employees being related by blood or marriage to person having interest in alcohol beverage industry, as long as relationship by blood is more distant than first cousin; (4) GS 18A-30(6) and 18A-33(a) to prohibit beer/wine sales, and brown-bagging,

until 1:00 p.m. on Sundays; (5) GS 18A-11 ("Grand jury; power to compel evidence; witnesses") by deleting the entire section; (6) GS 18A-13 ("Indictment and summons") by deleting all after the first sentence and renumbering the section; (7) GS 18A-13 by adding a new provision requiring a permit from the State ABC Bd. as a prerequisite to selling liquor-by-the-drink. Cost of the permit to be \$300 annually and the State ABC Bd. given the power to suspend or revoke permits for violations of liquor law; (8) GS 18A-21 and 18A-24 to provide that seized liquor, equipment and materials to be disposed of pursuant to court order, rather than being destroyed by peace officer; (9) GS 18A-17(14) to require local ABC Bds. to spend 10% of total profits for education and rehabilitation; (10) GS 18A-15 by deleting the 5¢ per bottle tax and inserting therefor "2.5 mills per ounce or fractional part thereof"; (11) GS 18A-57(a) to preserve local acts "prohibiting the possession or consumption of intoxicating liquors," rather than preserving all local acts; (12) GS 18A-36 by deleting all after the first paragraph; (13) to change effective date from May 1, 1972, to October 1, 1971, and make new hours for sale and consumption effective upon ratification. (Technical and conforming changes made in GS Ch. 105 [Taxation] and GS 18A-2, 18A-11, 18A-12, 18A-13, 18A-15, and 18A-30.)

S 395 Senatorial districts (digested in Bulletin No. 62, p. 463)

Committee Substitute adopted in Senate 6/30/71 rewrites bill providing for 28 districts (originally 33) as follows (number in parentheses following each district number indicates number of Senators to be elected from district): Dist. 1 (2): Bertie, Camden, Chowan, Currituck, Dare, Gates, Hertford, Hyde, Martin, Northampton, Pasquotank, Perquimans, Tyrrell, and Washington Counties.

Dist. 2 (1): Carteret, Craven, and Pamlico Counties.

Dist. 3 (2): Beaufort, Edgecombe, Halifax, and Pitt Counties.

Dist. 4 (1): Duplin, Jones, and Lenoir Counties.

Dist. 5 (1): Onslow County.

Dist. 6 (1): Greene and Wayne Counties.

Dist. 7 (1): New Hanover and Pender Counties.

Dist. 8 (2): Franklin, Nash, Vance, Warren, and Wilson Counties.

Dist. 9 (1): Johnston and Sampson Counties.

Dist. 10 (1): Bladen, Brunswick, and Columbus Counties.

Dist. 11 (2): Durham, Granville, and Person Counties.

Dist. 12 (3): Harnett, Lee, and Wake Counties.

Dist. 13 (2): Cumberland County.

Dist. 14 (1): Hoke and Robeson Counties.

Dist. 15 (2): Chatham, Moore, Orange, and Randolph Counties.

Dist. 16 (1): Alamance County.

Dist. 17 (2): Alleghany, Ashe, Caswell, Rockingham, Stokes, and Surry Counties.

Dist. 18 (3): Guilford County.

Dist. 19 (2): Anson, Montgomery, Richmond, Scotland, Stanly, and Union Counties.

Dist. 20 (2): Forsyth County.

Dist. 21 (1): Davidson County.

Dist. 22 (3): Alexander, Catawba, Davie, Iredell, Rowan, and Yadkin Counties.

Dist. 23 (4): Cabarrus and Mecklenburg Counties.

Dist. 24 (2): Avery, Burke, Caldwell, Mitchell, Watauga, and Wilkes Counties.

Dist. 25 (3): Cleveland, Gaston, Lincoln, and Rutherford Counties.

Dist. 26 (2): Buncombe, Madison, McDowell, and Yancey Counties.

Dist. 27 (1): Haywood, Henderson, and Polk Counties.

Dist. 28 (1): Cherokee, Clay, Graham, Jackson, Macon, Swain, and Transylvania Counties.

S 689 Motor vehicle lenders (digested in Bulletin No. 96, p. 837)

Committee Substitute adopted in Senate 6/30/71 rewrites GS 53-172 (original bill affected only GS 53-176.1) to provide that no licensee is to conduct business of making loans within place of business in which any other business is carried on unless approved by Comm'r in writing that this is not contrary to best interest of borrowing public. Provides for withdrawal of authorization by Comm'r. Excludes installment paper dealers and collection by a licensee of loans legally made in NC, or another state by another government-regulated lender or agency from definition of any other business. Does not authorize collection of loans or charges in violation of prohibitions contained in GS 53-190. Requires books, records, and accounts relating to loans to be kept as Comm'r of Banks prescribes as to delineate clearly loan business from any other business authorized by Comm'r.

S 843 (Caldwell) Lenoir elections (digested in Bulletin No. 115, p. 1084)
Technical amendment adopted in Senate 6/30/71.

HOUSE BILLS

H 687 Repealing charters-inactive towns (digested in Bulletin No. 64, p. 492)
Amendments adopted in Senate 6/30/71: (1) delete Palmyra, Ringwood, and Tillery; (2) delete Contentnea, Jason, Maury, Scuffleton, and Graingers; and (3) delete Virgilina.

H 763 Credit for prepayment-torts (digested in Bulletin No. 70, p. 549)
Committee Substitute adopted in House 6/30/71 makes language changes and adds following provisions: (1) advance payments by one joint tortfeasor shall not inure to the benefit of any joint tortfeasor not making such payments; (2) no claim for reimbursement may be made or allowed by or on behalf of the person or party making such advance payment or payments against the person or party to whom such payment or payments are made except a claim based on fraud; and (3) the making of any advance payment shall not affect the running of the statute of limitations.

H 863 State gov't reorganization (Iden. S 540; digested in Bulletin No. 80, p. 650; Committee Substitute digested in Bulletin No. 114, p. 1070, 1071; amendments digested in Bulletin No. 116, p. 1102 and Bulletin No. 117, p. 1113)
Amendments adopted in Senate 6/30/71 to provide that salaries of principal dep't heads to be set by Advisory Budget Comm'n on recommendation of Governor; to clarify authority of head of principal dep't to appoint Chief Deputy or Chief Assistant who is subject to State Personnel Act; to provide that agencies transferred to Dep't of Commerce to have authority to employ and supervise professional and technical personnel and that such agencies not accountable to Sec'y of Commerce in exercise of quasi-judicial powers; to change the type of transfer of certain agencies to a principal agency from Type I to Type II; and to require the Legislative Research Comm'n to review the progress of state government reorganization and report its findings to the 1973 General Assembly.

H 864 Certain state agencies abolished (Iden. S 539; digested in Bulletin No. 80, p. 651)
Amendment adopted in House 6/30/71 deletes from act Vehicle Equipment Safety Compact and Comm'n on the Education and Employment of Women.

H 1059 Taxation of mineral interests (digested in Bulletin No. 95, p. 831)
Amendment adopted in House 6/30/71 adds to counties affected by act Anson, Buncombe, Catawba, Davidson, Durham, Franklin, Guilford, Haywood, Hoke, Iredell, Jackson, Madison, Montgomery, Moore, Person, Richmond, Robeson, Scotland, Swain, Transylvania, Union, Wake, Warren, and Yancey.

- H 1230 Interstate environmental compact (Iden. S 775; digested in Bulletin No. 107, p. 972)
Amendment adopted in House 6/30/71 makes technical changes and deletes provision authorizing withdrawal from compact.
- H 1436 Amend Raleigh charter (digested in Bulletin No. 118, p. 1137)
Amendments adopted in House 6/30/71 make technical changes and add provision that nothing in bill shall permit city to change existing Civil Service Comm'n, other than changing length of term of members.
- H 1442 (Wake) Cary town charter (digested in Bulletin No. 118, p. 1135)
Amendments adopted in House 6/30/71 make technical corrections and rewrite section providing for underground utilities to authorize town subdivision ordinance to require underground installation whether or not installed in rights-of-way under plans approved by Utilities Comm'n.

SENATE AND HOUSE

CALENDAR ACTION

JUN.30,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- #S. 33 BUDGET APPROPRIATION.(6/24, 6/28) S-REC TO CONCUR H AMENDS; S-FAILED CONCUR H AMENDS; S-CONF COM APPOINTED; S-CONF REPORT ADOPTED; H-CONF COM APPOINTED; H-CONF REPORT ADOPTED; RATIFIED CH. 708.
- S. 35 NON-VOTED CAPITAL.(6/24) H-PASSED 3RD READING.
- S. 43 FELONY FIREARM ACT.(5/06) H-REPTD FAV AS AMENDED.
- S. 83 CRIMINAL COURT COSTS.(6/28) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 107 LIQUOR LAW REVISION.(3/24, 3/25, 6/29) H-PASSED 3RD READING; S-REC TO CONCUR IN H AMEND; S-PLACED ON CAL JULY 1.
- S. 190 INDECENT LIBERTIES-CHILDREN. S-RECALLED FROM COM; S-RE-REF COM ON JUDIC 1.
- #S. 228 IMPLIED CONSENT HEARING. S-REPTD UNFAV.
- #S. 302 DUAL OFFICE HOLDING.(6/15, 6/16) RATIFIED CH. 697.
- S. 367 UTILITIES COMM'N-SERVICE RESALE.(6/07) H-REPTD FAV.
- S. 395 SENATORIAL DISTRICTS.(6/30) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED; S-PLACED ON CAL JULY 2.
- S. 510 HIGHER ED.-AID,FUNDS. S-RECALLED FROM COM; S-RE-REF COM ON APPROPN.
- #S. 587 STATE FAIR BOARD. S-REPTD UNFAV.
- S. 622 STUDY COMM'N,UNC UTILITIES.(6/01) H-PASSED 2ND & 3RD READING.
- S. 641 BALD HEAD DEVELOPMENT. S-PLACED ON CAL JULY 1.
- S. 643 MILK COMM'N LAW REWRITE.(6/28) H-REC FROM SENATE; H-REF TO COM ON AGRICULT; H-RECALLED FROM COM; H-REF TO COM ON FINANCE.
- S. 675 DENTISTRY LAW REVISION.(6/25) H-REC FROM SENATE.
- S. 676 DENTAL HYGIENE LAW REVISION.(6/25) H-REC FROM SENATE.
- S. 680 ESCHEAT,STATUTE OF LIMITATIONS.(6/28) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 687 DIVORCE ACTIONS-FINDINGS OF FACT.(6/28) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 689 MOTOR VEHICLE LENDERS.(6/30) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
- #S. 704 DUPLICATE DRIVERS' LICENSES. S-REPTD UNFAV.
- S. 725 VARIABLE ANNUITIES SALESMEN.(6/24, 6/28) H-REC FROM SENATE; H-REF TO COM ON INSUR.
- S. 735 DRIVER LICENSE PROBATION. S-REPTD FAV.
- S. 736 JUVENILE COURT CHANGES.(6/28) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.

- S. 753 FUNDS FOR HOG CHOLERA INDEMNITY. H-REPTD FAV; H-PASSED 2ND & 3RD READING.
- S. 761 AMEND LIVESTOCK MKT. ACT.(6/28) H-REC FROM SENATE; H-PASSED 2ND READING.
- S. 776 LOCATING ELEVATOR WIRING DIAGRAMS.(6/29) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 791 MENTAL RETARDATION COUNCIL.(6/28, 6/28) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- #S. 805 JUDGE ELECTION DATE. RATIFIED CH. 707.
- S. 807 GAS STATION ATTENDANTS REQUIRED-2.(6/29) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 812 PUBLIC HEALTH SERVICES-STUDY COMM'N. H-RECALLED FROM COM; H-RE-REF COM ON HEALTH.
- S. 813 INSUR. PREMIUM FINANCING.(6/28) H-REC FROM SENATE; H-REF TO COM ON INSUR.
- S. 815 BUS LICENSES. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 822 HIGHER ED. SELF-LIQUIDATING BONDS. H-REC FROM SENATE; H-REF TO COM ON FINANCE.
- S. 824 AMEND SL 1971, CH. 338-FAC.RETIRE.(6/28) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 839 LICENSING LIVESTOCK DEALERS-2. H-REC FROM SENATE; H-REF TO COM ON AGRICULT.
- S. 848 REGULATING AUTO INSURANCE RATES-4. S-REPTD FAV AS AMENDED.
- S. 856 BDS. OF EDUCATION CONTRACTS.(6/28) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 862 POWER PLANT SITING.(6/29) S-PASSED 3RD READING.
- S. 881 INTEREST ON AGRICULTURAL LOANS. S-REPTD FAV.
- S. 887 REVIEW OF PROBATION. S-RE-REF COM ON CORRECTN.
- S. 897 REVOC. PROCEDURE-INSUR. LICENSE. S-REPTD FAV.

- #H. 55 NON-VOTED CAPITAL.(6/24) H-POSTPONED INDEF.
- #H. 66 FELONY FIREARM ACT. H-REPTD UNFAV.
- H. 119 NEW INDUSTRY ENVIRONMENTAL IMPACT.(6/22) S-RECALLED FROM COM; S-RE-REF COM ON CONS&DEV.
- #H. 153 MUNICIPAL LAW REVISION.(6/04, 6/23) RATIFIED CH. 698.
- H. 169 MACHINERY ACT OF 1971.(6/16, 6/22, 6/23) S-REPTD FAV.
- H. 321 MIXED DRINKS ON PREMISES-2.(6/25) H-REPTD FAV.
- H. 533 FRANKLIN MAGISTRATES. S-REPTD FAV; S-RE-REF COM ON APPROPN.
- H. 548 CHILD ABUSE REPORTING.(6/03, 6/09, 6/09, 6/29) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- #H. 577 ARREST OF TRAMPS. RATIFIED CH. 699.
- #H. 578 INJURIES BY TRAMPS. RATIFIED CH. 700.
- H. 627 DISCOVERY OF DEBTORS ASSETS.(5/26, 6/29) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- H. 630 MASS GATHERINGS-REGULATION.(6/04, 6/10, 6/22) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- H. 687 REPEALING CHARTERS-INACTIVE TOWNS.(5/26, 5/26, 6/02, 6/29, 6/30) S-FLOOR AMENDS ADOPTED; S-PASSED 3RD READING.
- #H. 689 HIRING CERTAIN SERVANTS. RATIFIED CH. 701.
- H. 736 US CONST.-RATIFY 18 YR. AMEND.-2.(6/25) S-PASSED 2ND & 3RD READING.

- H. 750 ANIMAL QUARANTINE PROCEDURES.(6/24) H-CONCURRED IN S AMEND.
- H. 763 CREDIT FOR PREPAYMENT-TORTS.(6/30) H-REPTD FAV COM
SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- #H. 772 COUNTY ORDINANCE PROCEDURE.(5/12) RATIFIED CH. 702.
- H. 776 REMOVAL OF GRAVES.(5/05, 5/18, 6/16) H-REPTD FAV.
- H. 780 AID TO PRIVATE COLLEGES.(5/12, 5/18) S-REPTD FAV.
- H. 862 PUBLIC SCHOOL EMPLOYEE SICK LEAVE. S-REPTD FAV.
- H. 863 STATE GOV'T REORGANIZATION.(6/21, 6/23, 6/24, 6/30) S-COM
AMENDS ADOPTED; S-FLOOR AMENDS FAILED; S-PASSED 2ND READING.
- H. 864 CERTAIN STATE AGENCIES ABOLISHED.(6/30) H-COM AMEND ADOPTED;
H-PASSED 2ND & 3RD READING.
- H. 886 ADD'L SEAT OF COURT-HALIFAX. S-REPTD FAV.
- H. 900 LEG'VE APPROVAL NON-SPA SALARIES.(5/26, 6/01, 6/21, 6/24)
S-CONF REPORT ADOPTED; H-CONF REPORT ADOPTED.
- #H. 908 INS. RATE APPEALS TO CT. OF APPS.. RATIFIED CH. 703.
- H. 935 PRIMARY CANDIDATE QUALIFICATIONS.(5/28, 6/23) H-REC TO
CONCUR COM SUB; H-REF TO COM ON CALENDAR.
- H. 957 NO TOLLS ON STATE FERRIES.(6/18) S-REC FROM HOUSE; S-REF TO
COM ON ROADS.
- #H. 963 TRADING STAMP SALES. H-REPTD UNFAV.
- #H. 985 CONFORM GS 115 TO CONSTITUTION.(6/14) RATIFIED CH. 704.
- H.1023 INJUNCTION CLARIFICATION. H-REPTD FAV.
- H.1028 HISTORIC DISTRICTS. H-REPTD FAV AS AMENDED.
- H.1037 SCHOOL CONSTRUCTION BOND ISSUE. H-REPTD FAV AS AMENDED.
- H.1045 FEE INCREASE FOR CERTIFIED COPY. S-REPTD FAV.
- #H.1050 RESIDENT HUNTING LICENSES. RATIFIED CH. 705.
- H.1082 INVESTMENT COMPANIES-TAXATION. H-PASSED 3RD READING.
- #H.1083 STANDARD OF CARE-CLERK SUP. CT.. H-REPTD UNFAV.
- H.1094 MUTUAL INSUR. CO. DIRECTORS. S-REPTD FAV.
- H.1095 MUTUAL INSUR. COMPANIES CAPITAL. S-REPTD FAV.
- H.1143 PLACING WASTE IN STATE WATERS. S-REPTD FAV AS AMENDED.
- H.1194 LABELING APPLES. H-PASSED 2ND READING.
- #H.1212 BD. OF PLUMBING & HEATING EXAM.. H-REPTD UNFAV.
- #H.1224 PREPARATION OF JURY LISTS. H-REPTD UNFAV.
- H.1230 INTERSTATE ENVIRONMENTAL COMPACT.(6/30) H-FLOOR AMEND
ADOPTED; H-PASSED 2ND & 3RD READING.
- H.1231 EXEMPT CHARITABLE INSURERS. H-REPTD FAV AS AMENDED.
- #H.1234 (J.RES.) INDEPENDENT AUDIT-HIGHWAY COMM'N. H-REPTD UNFAV.
- #H.1274 JUDGES-PENSION FOR SPOUSES. H-REPTD UNFAV.
- H.1290 PICKING WILD FLOWERS. H-REPTD FAV.
- #H.1310 ERROR RETRACTIONS BY NEWSPAPERS. H-REPTD UNFAV.
- H.1331 AMEND CHAPTER 423,1971 SL. H-PASSED 2ND & 3RD READING.
- H.1340 (J.RES.) GENERAL ASSEMBLY STUDY COMM'N. H-PASSED 2ND & 3RD
READING.
- H.1410 TRANSFERRING BURIAL ASS'N BENEFITS. H-REPTD FAV.
- H.1432 MUNICIPAL GAS SYSTEMS. H-REPTD FAV.
- #H.1445 NET ECONOMIC LOSS DEDUCTION. H-REPTD UNFAV.
- #H.1446 HOSPITAL FACILITIES-DEFINITION. H-REPTD UNFAV.
- #H.1448 VEHICLE REMOVAL-SERVICE STATIONS. H-REPTD UNFAV.
- #H.1462 FARM PRODUCTS DEFINITION. H-REPTD UNFAV.

#H.1465 CONFORM 1971 ENACTING CLAUSES. S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING; RATIFIED CH. 706.

LOCAL BILLS

- S. 500 (HALIFAX) MORE MAGISTRATES. S-REPTD FAV; S-RE-REF COM ON APPROPN.
- S. 801 (BUNCOMBE) BD. OF COMMISSIONERS-COMPENSATION. S-PASSED 2ND & 3RD READING.
- S. 843 (CALDWELL) LENOIR ELECTIONS.(6/30) S-COM AMEND ADOPTED; S-PASSED 2ND READING.
- S. 858 (GUILFORD) GREENSBORO HOUS.DEV.CL'HOUSE COMM'N. S-PASSED 2ND READING.
- S. 865 (GASTON) GASTONIA CHARTER. S-PASSED 2ND READING.
- S. 868 (MECKLENBURG) MUNICIPAL LAW REVISION CHANGES.(6/30) S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- S. 879 (WAYNE) GOLDSBORO SCHL. BOND ELECTION. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- H. 180 (CARTERET) MORE MAGISTRATES. S-REPTD FAV; S-RE-REF COM ON APPROPN.
- H. 639 (BRUNSWICK) LELAND INCORPORATION.(5/14, 6/28) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- H. 647 (MARTIN) MORE MAGISTRATES. S-REPTD FAV; S-RE-REF COM ON APPROPN.
- H. 786 (NASH) ADDITIONAL MAGISTRATE. S-REPTD FAV; S-RE-REF COM ON APPROPN.
- H. 823 (FORSYTH, MECKLENBURG) PURCHASE PREFAB SCHOOLS.(6/04, 6/29) H-REC TO CONCUR S AMENDS; H-CONCURRED IN S AMENDS.
- H.1059 (ROWAN) TAXATION OF MINERAL INTERESTS.(6/30) H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING.
- H.1140 (DUPLIN) WALLACE CONTRACT BID LIMITS.(6/17) S-PASSED 2ND READING.
- H.1186 (CATAWBA) TAX COLLECTOR. S-PASSED 2ND & 3RD READING.
- H.1195 (MOORE) INCORPORATE WEST END.(6/21) S-PASSED 2ND READING.
- H.1203 (ROBESON) MAXTON CHARTER.(6/18) S-PASSED 2ND READING.
- H.1216 (AVERY) COUNTY COMM'RS-OFFICE TERMS. S-PASSED 2ND & 3RD READING.
- H.1225 (TYRRELL) CUSSING ON HIGHWAYS.(6/21, 6/21) S-PASSED 2ND & 3RD READING.
- H.1240 (GRANVILLE) STOVALL BONDS. S-PASSED 2ND READING.
- H.1242 (ROWAN) CITY,COUNTY ZONING.(6/18) S-PASSED 2ND READING.
- H.1252 (MITCHELL) TAX LISTING BY MAIL. S-PASSED 2ND READING.
- H.1283 (UNION) MONROE ELECTION PROCEDURE. S-PASSED 2ND & 3RD READING.
- H.1284 (UNION) MONROE SCHOOL BOUNDARIES. S-PASSED 2ND READING.
- H.1289 (GUILFORD) HIGH POINT CIVIL SERVICE ACT. S-PASSED 2ND & 3RD READING.
- H.1302 (BUNCOMBE) BD. OF TAX SUPERVISION.(6/25) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.

- H.1376 (STANLY) COUNTY TAX COLLECTOR. S-REPTD FAV; S-PLACED ON TODAY'S CAL; S-PASSED 2ND & 3RD READING.
- H.1412 (RANDOLPH) RANDLEMAN ABC PROFITS. H-REPTD FAV; H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON ABC.
- H.1413 (RANDOLPH) RANDLEMAN-CONVEYANCE. H-REPTD FAV; H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1431 (WAKE) RALEIGH CIVIC CNTR. AUTH.. H-PASSED 2ND READING.
- H.1436 (WAKE) AMEND RALEIGH CHARTER.(6/30, 6/30) H-COM AMEND ADOPTED; H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING.
- H.1442 (WAKE) CARY TOWN CHARTER.(6/30) H-COM AMEND ADOPTED; H-PASSED 2ND READING.
- H.1464 (ROCKINGHAM) AMEND CH. 615,1971 SL. S-REC FROM HOUSE; S-REF TO COM ON ABC.
- H.1471 (ROBESON) CITY-COUNTY SCHOOL MERGER. H-PASSED 2ND READING.
- H.1483 (COLUMBUS) WACCAMAW FISHING PERMITTED. H-PASSED 2ND & 3RD READING.

Next Session of House: 11:30 a.m., Thursday, July 1, 1971.

Next Session of Senate: 12 noon, Thursday, July 1, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
P. O. BOX 7294, RALEIGH, N. C.
27611 TEL. 755-3355
829-7677

BULLETIN NO. 122

-1187-

THURSDAY, JULY 1, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 925 (Joint Resolution) Tax Study Comm'n-duty
redefined STUDY, GS 143, 105
Introducer: Moore Sent to RULES

"Redefining the duties of the Tax Study Commission appointed pursuant to Resolution 73 of the 1969 General Assembly." Relieves the Tax Study Commission from the charge of studying exemptions from property taxation, making recommendations with respect to such exemptions, and making a determination of the annual tax loss resulting from the various exemptions in selected counties representing different geographic and economic areas of the State.

S 926 Permanent Tax Study Comm'n created STUDY, GS 105, 143
Introducer: Moore Sent to RULES

"To create a permanent Tax Study Commission." Adds new Art. 52 to GS Ch. 143 creating an eleven member Tax Study Comm'n, five members to be appointed by Gov., three by President of Senate, and three appointed by Speaker of House. Comm'n charged with studying State and Local tax laws, and recommending changes it deems advisable in the rates of taxation, together with predicted revenue effects thereof, and with proposed alternate sources of revenue, to end that revenue system may be as stable and equitable as possible. Director of Tax Research to serve as sec'y to Comm'n but shall not be a member. Comm'n authorized to employ other clerical and professional assistance it deems necessary. Comm'r of Rev. and Dir. of Tax Research directed to make themselves and their assistants available to Comm'n for assistance. Members of Comm'n to serve without pay, but shall receive per diem and travel expenses received by other State bds. Expenses to be paid from Contingency and Emergency Fund, but not to exceed \$50,000 per year. Effective July 1, 1973.

HOUSE

H 1485 (Joint Resolution) LRC study gov't forms STUDY
Introducers: Speed and M. Smith Sent to CALENDAR

"Directing the Legislative Research Commission to study the wide range of forms, reports, audits and inspections required of businesses, large and small, by various government agencies, and to propose practical ways to simplify and consolidate record keeping, coordinate the timing and filing of reports, and reduce the mounting burden of government imposed paper work." As title indicates, with report to be made to 1973 General Assembly.



H 1486 Retirement credit-armed service GS 135
Introducers: J. M. Johnson and DeBruhl Sent to CALENDAR

"To amend the Teachers' and State Employees' Retirement System to provide credit for military service prior to State employment." Adds new subsection GS 135-4(f) providing for credit for up to two years for military service for teachers and State employees retiring after July 1, 1971 with ten years membership, even though military service was prior to employment as teacher or State employee, provided no credit being received for that military service in any other retirement or pension system.

H 1487 Tobacco Advisory Board GS 106
Introducer: Green Sent to CALENDAR

"To create a Tobacco Advisory Board for the purpose of providing assistance to the tobacco industry by setting opening dates for flue cured markets, by regulating sales of flue cured tobacco so as to prevent congestion in processing facilities, and by providing for the duties of the Commissioner of Agriculture in administering this Act." Adds new Article 42 to GS Ch. 106 creating Tobacco Advisory Board to consist of 12 members as follows: 5 to be appointed by Comm'r of Agriculture each year, with 1 representing tobacco manufacturers, and 4 being flue cured tobacco farmers (1 from each of 4 belts); Master of NC State Grange; President of NC Farm Bureau Federation; President of Export Dealers Assoc.; managing director of Bright Belt Warehouse Assoc.; Flue Cured District Supervisor of Grading; and the Comm'r of Agriculture. All except ex officio members serve 12 month terms. Grants Comm'r of Agriculture power to set opening dates for flue cured markets, and to control selling time in those markets, to be done on approval of majority of Advisory Board, with procedures set out for the Board to make its recommendations. Prohibits daily rate of sale of above 500 baskets per hour per set of buyers. Provides for participation of SC and Va. agricultural comm'rs in Advisory Board deliberation when appropriate.

H 1488 \$5 municipal parking penalties GS 20
Introducers: McDaniel and others Sent to CALENDAR

"Authorizing municipalities to fix penalties not to exceed five dollars for certain parking violations." Amends GS 20-162.1 to provide that gov. bds. of municipalities may fix penalty of up to \$5 for parking within 15 feet of a fire hydrant, parking so as to block a driveway or alley or parking in bus zones.

H 1489 Beach area insurance coverage GS 58
Introducers: Burrus and Roberson Sent to CALENDAR

"To extend the definition of beach area under Article 18A of Chapter 58 of the General Statutes." Amends GS 58-173.2(2) by deleting "Roanoke" and substituting "Croatan."

H 1493 Savings & loan capital stock GS 54
Introducers: High and Raynor Sent to CALENDAR

"To amend Chapter 54 of the General Statutes relating to savings and loan associations." Adds new GS 54-8.1 authorizing savings and loan associations to organize as capital stock corporations if they comply with GS Ch. 54 and if the original capital stock shall aggregate at least \$400,000, with the amount from sale of stock to be set aside as the fixed and permanent capital of the association and be subordinated to all liabilities. Defines capital surplus, earned surplus, surplus, stockholders, members, and savings members; and sets out procedures for declaring dividends and electing directors. Provides for transfer of reserves of mutual

association to reserves of stock association when conversion made, and prohibits distribution of that reserve to stockholders within 10 years, but allows issuance of stock to members for the conversion of the reserve. Grants Comm'r of Insurance power to regulate stock associations, and requires his approval before mutual association may be converted to stock association. Gives stock associations same powers and authority as mutual associations under GS Ch. 54.

H 1495 Cancel 1971 election-18 yr. vote
Introducer: Harkins
CONSTITUTION, GS 163
Sent to CALENDAR

"To cancel the general election scheduled for November 2, 1971." Amends Ch. 201, 1971 SL (proposed constitutional amendment lowering voting age to 18) by requiring that the proposed amendment be submitted to voters at general election on Nov. 7, 1972, rather than at an election to be held Nov. 2, 1971, and by providing that if the amendment is adopted it shall become effective Jan. 1, 1973, rather than 1972. Repeals Ch. 535, 1971 SL (providing that if amendment to US Const. lowering voting age to 18 is adopted by 3/4 of states, then vote on NC Const. amendment called for by Ch. 201, 1971 SL to be held Nov. 7, 1972).

H 1496 Limit discount points-fed loans
Introducers: Lawing and others
GS 53
Sent to CALENDAR

"To limit the placement or discount fees or points charged by a lender in connection with loans insured by the Federal Housing Authority or Veterans Administration." Adds proviso to GS 53-45(e) prohibiting placement or discount fee, brokerage fee, origination fee, points, or other such charges exceeding 3% of principal of loan when loan is insured by FHA or VA.

H 1499 Chapter 18 elections-towns
Introducers: H. Rountree and High
GS 18
Sent to CALENDAR

"To amend the laws relating to alcoholic beverages." Authorizes governing board of any incorporated municipality having a police force of one or more full-time officers and located in county without an ABC system to call special election on setting up municipal liquor stores, and requires calling of election on receipt of petition signed by 15% of number of voters who voted in last municipal election. Allows governing body in its discretion to put questions of beer and wine sales on same ballot. Requires 30 days notice of election and sets out registration procedure, but prohibits election on same day as regular election for municipal officers. Requires establishment of municipal ABC board if majority in election favor stores, that board to consist of three members appointed by governing body for staggered terms of three years. Subjects municipal ABC board to general State laws on ABC, and sets out following distribution of profits: 5 to 15% of gross profits for law enforcement and for education on effects of alcohol; 75% of remaining profits after that deduction and deduction for operating expenses to go to general fund of municipality, and 25% to be distributed proportionately by population to all incorporated municipalities in county. Provides for discontinuance of municipal stores within six months of when-ever county as a whole votes in favor of stores.

H 1500 Easements to fill grants
Introducer: Watkins

GS 146
Sent to CALENDAR

"To amend G.S. 146-6(b) and (c) to clarify the authority of the Department of Administration to grant easements to fill." As title indicates, rewrites statutory secs. to provide if land is raised above high water mark of any navigable water by man by filling (unless filling to reclaim lands lost by avulsion), title to land to vest in State and to become part of vacant and unappropriated lands of State. Allows riparian owner desiring to reclaim land lost by avulsion by submitting proof of loss to Dept. of Admin. prior to making fill and obtain permit to dredge or fill from Dept. of C & D under GS 113-229. Allows owner of land adjoining navigable water who desires to fill in front of land to apply to Dept. of Admin. for easement to make fill; required to deliver copy of application to each owner of riparian property adjoining applicant; adjoining owner to have 30 days from service of notice to file objections with Dept. of Admin. If Dept. finds proposed fill in public interest and not interfering with use of navigable waters, Dept. to issue easement to fill and fix consideration to be paid for easement, subject to approval of Governor and Council of State. Dept. to invite and consider comments of other interested state agencies in determining whether application in public interest. Act not to relieve riparian owner of requirements of U.S. laws or GS 113-229. On completion of filling, Governor and Council of State authorized to direct execution of quitclaim deed to owner to whom easement granted, conveying raised land on terms deemed proper by Dept. of Admin. and approved by Governor and Council of State.

H 1501 Amend Ch. 512, 1971 SL (Iden. S 918)
Introducer: James

GS 20
Sent to CALENDAR

"To amend Chapter 512 of the Session Laws of 1971 relating to the sale of unclaimed vehicles to reduce the time period within which sale may be made."
Identical with S 918, digested in Bulletin No. 121, p. 1173.

LOCAL BILLS INTRODUCED

SENATE

S 927 Purchase prefab. schools-2 (Iden. H 1490)
Introducer: Bagnal

FORSYTH
Sent to LOC GOVT

"To authorize the Winston-Salem/Forsyth Board of Education to enter into certain contracts." Authorizes W-S/Forsyth Bd. Educ. during calendar years 1971 and 1972 to enter into purchase and/or construction contracts for prefabricated school buildings without complying with those provisions of Art. 8, GS Ch. 143 requiring separate specifications and bidding for the classes of work enumerated in GS 143-128 except that portion of the work which must be performed at construction site. Provides prefab units be designed and inspected at factory by registered architects or engineers, and be labelled as complying with State Building Code Council standards.

HOUSE

H 1490 Purchase prefab schools-2 (Iden. S 927)
Introducers: F. Farmer, Jemison, McDaniel,
and McKnight

FORSYTH
Sent to CALENDAR

"To authorize the Winston-Salem/Forsyth Board of Education to enter into certain contracts." Identical with S 927, digested in the Senate section of today's Bulletin.

H 1491 School tax referendum BUNCOMBE
Introducers: Stevens, Beam, DeBruhl,
and Harkins Sent to CALENDAR

"To authorize the Board of County Commissioners of Buncombe County to call a special or general election to authorize the levy of an additional supplemental tax not to exceed thirty cents on each one hundred dollars valuation of taxable property in Buncombe to provide for the construction, maintenance, support and operation of the public schools of the County of Buncombe." As title indicates, authorizes election on question on or before June 1, 1973. If majority vote in favor of additional levy, levy shall be made for taxable year next beginning after election. If approval county-wide is not obtained, but majority is obtained in certain school districts, then the additional levy may be made for the taxable year next beginning after the election in each of the districts which approved the question.

H 1492 Bd. educ. property transfer MOORE
Introducer: Auman Sent to CALENDAR

"To permit the County Board of Education of Moore County to transfer certain real property back to the original grantor." Authorizes Bd. to transfer back to Sherman H. Davis portion of land on which Davis Elementary School is now situated.

H 1494 Bail bondsmen-2 CLEVELAND
Introducer: Falls Sent to CALENDAR

"To eliminate Cleveland County from the provisions of Chapter 85A of the General Statutes relating to bail bondsmen and runners." As title indicates.

H 1497 East Spencer town bd. salaries ROWAN
Introducer: Nash Sent to CALENDAR

"To raise the salaries of the Town Board for East Spencer, North Carolina." Increases salaries of town bd. members from \$200 to \$300 per year; of town treasurer from \$250 to \$350 per year; of mayor from \$300 to \$500 per year; and provides town bd. members serving from 7/1/69 to 7/1/71 be paid expenses of \$145.00.

H 1498 Spell it Stanly STANLY
Introducer: R. Brown Passed three readings and
sent to Senate

"To change the spelling of the word 'Stanley' to 'Stanly' in all acts referring to Stanly County." As title indicates.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 249 Podiatry defined (digested in Bulletin No. 40, p. 284)
Amendment adopted in House 7/1/71 to except from the definition of podiatry surgery involving the bones, joints, muscles and tendons of the foot.

S 377 Service of process-acceptance (digested in Bulletin No. 58, p. 421)
Committee Substitute adopted in Senate 7/1/71 rewrites new rule subsection added by act to GS 1A-1, Rule 4, to read as follows: "(j1) Personal jurisdiction by acceptance of service. Any party personally, or through the persons provided in Rule 4(j), may accept service of process by notation of acceptance of service together with the signature of the party accepting service and the date thereof on an original or copy of a summons."

S 641 Bald Head development (digested in Bulletin No. 91, p. 771)
Amendments adopted in Senate 7/1/71: (1) delete provision directing State gov't to cooperate in the private development of Bald Head Island and substitutes therefor language directing State gov't to allow ingress and egress in accordance with existing law; (2) deletes language prohibiting State from condemning island notwithstanding constitutional provisions to the contrary and (3) deletes provision directing Attorney General to institute declaratory judgment proceeding to determine title to acreage described in bill.

S 868 (Mecklenburg) Municipal law revision changes (digested in Bulletin No. 117, p. 1111)
Amendment adopted in Senate 6/30/71 adds new section to bill requiring applications for zoning amendment or conditional or special use permit to be referred by county comm'rs to governing body of proper municipality when property would except for Act fall within extraterritorial jurisdiction of that municipality. Requires municipal governing body to make recommendations to county comm'rs within 15 days, and authorizes public hearing if desirable. Specifically prohibits county comm'rs from taking action on application until it has received municipality's recommendation or the 15 days has lapsed.

HOUSE BILLS

H 169 Machinery Act of 1971 (digested in Bulletin No. 20, p 129; Committee Substitute digested in Bulletin No. 111, p. 1023)
Amendment adopted in Senate 7/1/71 postpones the bar of the C/S against poll taxes until July 1, 1972.

H 229 Preliminary hearing (Iden. S 141, digested in Bulletin No. 24, p. 160)
Committee Substitute adopted in House 7/1/71 makes following changes:
(1) deletes from bill provision that hearing may not be requested if person has been indicted by grand jury and adds provision that prohibits solicitors from submitting a bill of indictment to a grand jury unless and until a preliminary hearing has been afforded the defendant except in cases involving presentment by a grand jury; (2) adds provision that defendant shall be jailed if no recognizance is allowed (bill provided for imprisonment only if bail not allowed or posted); and (3) adds provision permitting solicitor to seek an indictment from the grand jury after a no probable cause finding has been made in the case by the dist. ct. judge.

H 321 Mixed drinks on premises-2 (digested in Bulletin No. 33, p. 230; Committee Substitute adopted in House 6/25/71 digested in Bulletin No. 118, p. 1138)
Technical amendment adopted in House 7/1/71.

H 834 Farmland valuation-2 (Iden. S 523; digested in Bulletin No. 78, p. 627)
Committee Substitute adopted in House 7/1/71 makes following changes:
(1) deletes requirement that to qualify for preferential classification land must have been devoted to farming for three successive years; (2) adds requirement that to qualify for preferential classification the land must be the homeplace, or thereafter become the homeplace, of a surviving spouse, child, or sibling of the previous owner or is farmed with the homeplace, or must have been in possession of the applicant, his spouse, parent, or sibling, or any combination thereof, for a period of at least seven years prior to application for benefits under the provisions of act; (3) changes appraisal standards for land given preferential classification (bill required that no factors other than value of land at its current use as farmland could be considered) to require that its value shall be determined in

accordance with generally accepted appraisal standards, taking into account replacement cost of land as farmland and earning capacity of land under sound farm management practices designed to produce greatest net return to the land (but apparently does not rule out taking into account value of adjacent land or potentiality for development); (4) requires that applicant in making application for preferential classification give his average net farm income from the land for the preceding five years and satisfactory evidence that appraisal at its true value will force conversion of the land to more intensive uses as a result of economic pressures; and (5) provides that in the event of a separation or split-off of more than 25% of classified land for other than a classified use, all of the owner's contiguous land shall be subject to deferred taxes.

H 1037 School construction bond issue (Iden. S 672; digested in Bulletin No. 95, p. 820)
Amendment adopted in House 7/1/71 changes per capita average daily membership for Halifax from 9,991 to 9,296 and changes allocation to administrative unit from \$ 1,602,255 to \$ 1,490,805; and adds Scotland Neck to units to be allocated proceeds, with daily membership figure of 695 and allocation of \$ 111,450.

H 1117 Second mortgage charges (digested in Bulletin No. 98, p. 871)
Committee Substitute adopted in House 7/1/71 makes following changes in original bill: (1) eliminates exemption from bill of first security instrument on real property improved by construction thereon of four or less dwelling units; (2) removes provision requiring borrower to reimburse lender when loan proposal not consummated because of borrower's wilful failure to close loan or borrower's false or fraudulent representation of a material fact; (3) adds minimum interest charge of \$ 300; (4) rewrites section setting out loans to which act is specifically not applicable; and (5) requires violations to be wilful or knowing to constitute misdemeanor.

Committee amendment adopted in House 7/1/71 rewrites provisions on rebate to borrower making renewal or additional loan within 36 months, changing method of computing rebate from Standard Rule of 78 based upon a 36-month term to computation by multiplying the number of months remaining in loan contract by quotient obtained by dividing rate of charge by total number of months in loan contract of loan which has been liquidated or renewed.

H 1194 Labeling apples (digested in Bulletin No. 105, p. 947)
Technical amendment adopted in House 7/1/71.

H 1211 Investment company taxes (digested in Bulletin No. 106, p. 959)
Amendment adopted in House 7/1/71 provides corporations or trusts doing business in North Carolina (originally, North Carolina corporations) may qualify as "regulated investment companies" for purposes of the tax reductions of act.

- NOTES:
1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- #S. 35 Non-voted capital. (6/24) Ratified Ch. 722.
- S. 156 Human tissue sale. S-Recalled from com; S-Re-ref com on Judic 2.
- S. 204 Wildlife protector retirement. (4/20) S-Reptd fav as amended.
- S. 249 Podiatry defined. (7/01) H-Floor amend adopted; H-Passed 3rd reading.
- #S. 287 Drug vehicle forfeiture. (6/21) H-Reptd unfav.
- S. 323 Unconscionable contracts remedy. S-Reptd fav.
- S. 324 Tax-sheltered annuities-2. (5/11) H-Reptd fav.
- S. 363 Utilities Comm'n-clarifying act. H-Passed 3rd reading.
- S. 377 Service of process-acceptance. (7/01) S-Rep fav com sub as amend; S-Com substitute adopted.
- S. 399 Governmental employees-regulation. (6/09) H-Recalled from com; H-Re-ref com on Calendar.
- S. 445 NC Pesticide Law of 1971. (6/16) H-Postponed to July 6.
- S. 502 Amending anatomical gift act. (6/22) H-Reptd fav as amended.
- S. 514 Redev. Comm'ns-private sales. (6/18, 6/21) H-Reptd fav.
- S. 540 St Gov't reorganization. (6/21) S-Placed cal for July 2.
- #S. 622 Study Comm'n, UNC Utilities. (6/01) Ratified Ch. 723.
- S. 623 Incorporate city in sanit. dist. H-Passed 3rd reading.
- S. 641 Bald Head development. (7/01) S-Floor amends adopted; S-Passed 2nd reading.
- S. 657 Building code clarification. (6/18, 6/22) H-Reptd fav.
- S. 667 Uniform relocation assistance act. (6/16) H-Reptd fav.
- S. 669 Transit System fuel tax refunds. (6/14) H-Reptd fav.
- S. 670 Transit System franchise tax reduc. (6/11) H-Reptd fav.
- S. 675 Dentistry law revision. (6/25) H-Passed 2nd reading.
- S. 676 Dental hygiene law revision. (6/25) H-Passed 2nd reading.
- S. 698 Charitable groups tax exemption. (6/07) H-Reptd fav.
- S. 723 Enforce mobile home standards. (6/10) H-Reptd fav.
- S. 725 Variable annuities salesmen. (6/24, 6/28) H-Reptd fav.
- S. 726 CPA certificate fees. H-Passed 3rd reading.
- #S. 731 Teaching first aid in school. S-Reptd unfav.
- S. 734 Revise private detective law. H-Reptd fav.
- S. 748 License auto damage appraisers. H-Passed 2nd reading.
- #S. 753 Funds for hog cholera indemnity. Ratified Ch. 709.
- S. 761 Amend Livestock Mkt. Act. (6/28) H-Passed 3rd reading.
- #S. 763 Moving mobile homes. H-Reptd unfav.
- S. 764 Higher education fees. S-Reptd fav.
- S. 775 Interstate Environmental Compact. S-Reptd fav as amended.
- S. 787 Auto dealers license. S-Reptd fav as amended.
- S. 802 Regional sewage disposal systems. S-Reptd fav.
- S. 812 Public health services-study comm'n. H-Reptd fav; H-Re-ref com on Appoprns.
- S. 825 Small watershed changes. S-Reptd fav as amended.
- S. 837 Licensing grain dealers. S-Reptd fav.
- S. 839 Licensing livestock dealers-2. H-Reptd fav.

- S. 855 Detention of mentally ill. S-Reptd fav as amended.
- S. 861 Health maintenance plans. S-Reptd fav as amended.
- S. 862 Power plant siting. (6/29) H-Rec from Senate; H-Postponed to July 2.
- S. 866 Canned dogfood law. S-Reptd fav as amended.
- S. 871 (J.Res.) Mental health dep't study. S-Reptd fav.
- S. 891 Exec. orders-publication. S-Reptd fav.
- S. 916 General Assembly expense payments. S-Reptd fav.
- S. 920 (J.Res.) Solid waste disposal study. S-Reptd fav.
- S. 921 Waste disposal area plants. S-Reptd fav.
- S. 924 Insurance lapse hearings. S-Reptd fav.

- #H. 53 Budget appropriation. (6/24) H-Postponed indef.
- H. 56 Equal employment opportunity. H-Reptd unfav-min report; H-Min report adopted.
- #H. 69 Electing highway commissioners. H-Reptd unfav.
- H. 169 Machinery Act of 1971. (6/16, 6/22, 6/23, 7/01) S-Floor amend adopted; S-Passed 2nd reading.
- H. 229 Preliminary hearing. (7/01) H-Reptd fav com substitute; H-Com substitute adopted.
- #H. 308 Collision insurance assigned risk. H-Reptd unfav.
- #H. 321 Mixed drinks on premises-2. (6/25, 7/01) H-Floor amend adopted; H-Failed 2nd reading.
- H. 322 Soft drink tax repeal. H-Placed cal for July 2.
- #H. 337 Mobile home title. H-Reptd unfav.
- #H. 366 Auto dealer license revocation. H-Reptd unfav.
- #H. 378 Poll watchers in all counties. H-Reptd unfav.
- #H. 380 County elections board terms. H-Reptd unfav.
- H. 393 Subcontractors' liens rewrite. (6/25, 6/25) H-Passed 3rd reading.
- H. 434 Dividends, cash or property. (6/11) H-Re-ref com on Calendar.
- #H. 515 More women as UNC Trustees. H-Reptd unfav.
- #H. 548 Child abuse reporting. (6/03, 6/09, 6/09, 6/29) Ratified Ch. 710.
- #H. 627 Discovery of debtors assets. (5/26, 6/29) Ratified Ch. 711.
- #H. 630 Mass gatherings-regulation. (6/04, 6/10, 6/22) Ratified Ch. 712.
- H. 687 Repealing charters-inactive towns. (5/26, 5/26, 6/02, 6/29, 6/30) H-Rec to concur S amends; H-Concurred in S amends.
- #H. 736 US Const.-Ratify 18 yr. amend.-2. (6/25) Ratified Ch. 725.
- H. 737 NC Pesticide Law of 1971. (6/17) H-Postponed to July 6.
- H. 747 Assault law rewrite-2. (6/07, 6/14) S-Reptd fav as amended.
- #H. 750 Animal quarantine procedures. (6/24) Ratified Ch. 724.
- #H. 764 Voting machine funds. H-Reptd unfav.
- H. 780 Aid to private colleges. (5/12, 5/18) S-Passed 2nd reading.
- H. 834 Farm land valuation-2. (6/10, 6/09, 7/01) H-Reptd fav com substitute; H-Com substitute adopted.
- H. 863 State Gov't reorganization. (6/21, 6/23, 6/24, 6/30) S-Placed cal for July 2.
- H. 886 Add'l seat of court-Halifax. S-Passed 2nd & 3rd reading.
- H. 890 Physicians' ass'ts registration. (6/04) S-Reptd fav.
- #H. 891 Physicians' assistants-no optometry. H-Reptd unfav.
- H. 926 Barber law-penalty change. (6/11) S-Recalled from com; S-Re-ref com on Judic 2.
- #H. 938 Secondary roads-citizen petition. H-Reptd unfav.
- H. 939 Nurse anesthetists regulated. H-Reptd fav.
- H. 940 Curb side voting-disabled. (6/11, 6/17) S-Passed 3rd reading.
- #H. 958 Variable annuities salesmen. H-Reptd unfav.
- #H. 961 Taxable income-Const. amendment. (6/22) H-Failed 2nd reading.
- #H. 962 Property tax on mobile homes. H-Reptd unfav.

- H. 964 Teachers' bargaining units. H-Reptd fav.
- H. 977 Prohibiting law practice by banks. (6/03) S-Reptd fav.
- H. 991 Milk Comm'n law rewrite. H-Reptd fav.
- #H.1000 Auto insur. class. 260 plan. H-Postponed indef.
- H.1014 (J.Res.) Commending Eden's July 4th. S-Reptd fav.
- H.1016 Teacher Licensing & Practice Act. H-Reptd fav.
- #H.1022 Criteria for secondary roads. H-Reptd unfav.
- #H.1027 License fee-chiropractor. Ratified Ch. 715.
- H.1037 School construction bond issue. (7/01) H-Com amend adopted; H-Passed 2nd reading.
- H.1045 Fee increase for certified copy. S-Passed 2nd reading.
- #H.1064 New car skin metal-bumper info. H-Reptd unfav.
- #H.1080 No telephone solicitation. H-Reptd unfav.
- H.1082 Investment companies-taxation. S-Rec from House; S-Ref to Com on Finance.
- H.1117 Second mortgage charges. (7/01, 7/01) H-Rep fav com sub as amend; H-Com substitute adopted; H-Com amend adopted.
- H.1137 Bulk tobacco barns sales tax. (6/25) H-Passed 3rd reading.
- #H.1155 Teaching first aid in schools. H-Reptd unfav.
- #H.1163 Absentee voting-illness. H-Reptd unfav.
- H.1176 School assignment restrictions. H-Reptd fav as amended.
- #H.1177 Statewide numbered Assembly seats. H-Reptd unfav.
- H.1181 Const'l limit-incorp. cities. (6/25) H-Passed 2nd reading.
- H.1194 Labeling apples. (7/01) H-Floor amend adopted; H-Passed 3rd reading.
- #H.1199 Special assessment-interest rate. (6/25) H-Postponed indef.
- H.1211 Investment company taxes. (7/01) H-Floor amend adopted; H-Passed 3rd reading; S-Rec from House; S-Ref to com on Finance.
- #H.1233 Amend Livestock Mkt. Act. (6/25) H-Postponed indef.
- H.1262 Insur. premium tax exemption. H-Reptd fav as amended.
- #H.1266 Poll watchers-qualifications. H-Reptd unfav.
- H.1267 Precinct officials-appointments. H-Reptd fav as amended.
- #H.1268 Bds. of elections-terms of office. H-Reptd unfav.
- #H.1269 Precinct officials-vacancies. H-Reptd unfav.
- H.1282 DMV registration records. H-Reptd fav.
- H.1294 (J.Res.) Public health services-study comm'n. H-Reptd fav as amended; H-Re-ref com on Appoprn.
- H.1299 Bds. of education contracts. H-Reptd fav as amended.
- #H.1304 Subdivision st. paving authority. H-Reptd unfav.
- H.1331 Amend Chapter 423, 1971 SL. S-Rec from House; S-Ref to com on Wildlife.
- H.1339 (J.Res.) Role of nurses study comm'n. H-Reptd fav.
- #H.1356 School Superinten'ts qualifications. H-Reptd unfav.
- H.1379 Peak Creek right-of-way. H-Reptd unfav; H-Removed from unfav cal; H-Re-ref com on Calendar.
- H.1380 Sanitary Dist. bond interest. H-Passed 2nd reading.
- H.1385 Possession under color of title. H-Reptd fav as amended.
- H.1388 Power plant siting. (6/25) H-Postponed to July 2.
- H.1396 Probate of wills. H-Reptd fav.
- H.1399 Nursery products, farm plates. H-Reptd fav.
- H.1416 (J.Res.) Commercial fisheries study comm'n. H-Reptd fav.
- H.1429 (J.Res.) LRC study of teacher licensing. H-Reptd fav.
- H.1434 (J.Res.) Memorializing Weil. S-Reptd fav.
- H.1411 Arrest by out-of-State officers. H-Recalled from com; H-Re-ref com on Calendar.
- H.1449 (J.Res.) Memorializing Judge Carr. S-Reptd fav.
- H.1457 (J.Res.) Study comm'n-school unions. H-Reptd fav; H-Re-ref com on Appoprn.

LOCAL BILLS

- #S. 138 (MECKLENBURG) Buffer zones-protest amendments. (2/23, 2/24) H-Reptd unfav.
S. 449 (GUILFORD) High Pt. Police Pensions. H-Reptd fav.
S. 801 (BUNCOMBE) Bd. of commissioners-compensation. H-Rec from Senate; H-Ref to com on Calendar.
S. 828 (HARNETT) Dunn ABC fund. H-Reptd fav.
S. 843 (CALDWELL) Lenoir elections. (6/30) S-Passed 3rd reading.
S. 858 (GUILFORD) Greensboro Hous. Dev. Cl'house Comm'n. S-Passed 3rd reading.
S. 865 (GASTON) Gastonia charter. S-Passed 3rd reading.
S. 868 (MECKLENBURG) Municipal law revision changes. (6/30) H-Rec from Senate; H-Ref to com on Calendar.
S. 899 (IREDELL) School bd. compensation. S-Reptd fav.
- H. 148 (GUILFORD) Greensboro election law repeal. H-Reptd unfav; H-Removed from unfav cal; H-re-ref com on Calendar.
- H. 432 (ORANGE) County school board election. (4/09) S-Reptd fav.
- #H. 639 (BRUNSWICK) Leland incorporation. (5/14, 6/28) Ratified Ch. 713.
- #H. 823 (FORSYTH, MECKLENBURG) Purchase prefab schools. (6/04, 6/29) Ratified Ch. 714.
- #H. 860 (DARE) Rodanthe-Waves-Salvo district. H-Reptd unfav.
- H. 887 (ALLEGHANY) Sparta ABC profits. H-Recalled from com; H-Re-ref com on Calendar.
- H.1140 (DUPLIN) Wallace contract bid limits. (6/17) S-Passed 3rd reading.
- #H.1141 (CRAVEN) End New Bern civil service bd. H-Reptd unfav.
- #H.1186 (CATAWBA) Tax collector. Ratified Ch. 716.
- H.1195 (MOORE) Incorporate West End. (6/21) S-Passed 3rd reading.
- H.1203 (ROBESON) Maxton charter. (6/18) S-Passed 3rd reading.
- #H.1216 (AVERY) County comm'rs-office terms. Ratified Ch. 717.
- #H.1225 (TYRRELL) Cussing on highways. (6/21, 6/21) Ratified Ch. 718.
- H.1240 (GRANVILLE) Stovall bonds. S-Passed 3rd reading.
- H.1242 (ROWAN) City, county zoning. (6/18) S-Passed 3rd reading.
- H.1252 (MITCHELL) Tax listing by mail. S-Passed 3rd reading.
- #H.1265 (HAYWOOD) County airport authority. (6/18) Ratified Ch. 719.
- H.1278 (NORTHAMPTON) Board of education members. S-Reptd fav.
- H.1279 (MECKLENBURG) Board of educ.-term of members. S-Reptd fav.
- H.1280 (MECKLENBURG) Board of educ.-pay of members. S-Reptd fav.
- #H.1283 (UNION) Monroe election procedure. Ratified Ch. 720.
- H.1284 (UNION) Monroe school boundaries. S-Passed 3rd reading.
- #H.1289 (GUILFORD) High Point civil service act. Ratified Ch. 721.
- H.1354 (HARNETT) Erwin elections. H-Reptd fav.
- #H.1376 (STANLY) County tax collector. Ratified Ch. 726.
- #H.1404 (NEW HANOVER) Wrightsville Beach run-off. H-Reptd unfav.
- H.1411 (DURHAM) Public franchises. H-Reptd fav.
- H.1419 (NEW HANOVER) Tax collection consolidation. H-Reptd fav.
- H.1421 (MECKLENBURG) Charlotte charter-retiree insur. H-Reptd fav as amended.
- H.1431 (WAKE) Raleigh civic. cntr. auth. H-Passed 3rd reading.
- H.1436 (WAKE) Amend Raleigh charter. (6/30, 6/30) H-Passed 3rd reading.
- H.1442 (WAKE) Cary town charter. (6/30) H-Passed 3rd reading.
- H.1471 (ROBESON) City-county school merger. H-Passed 3rd reading; S-Rec from House; S-Ref to com on Educatn.

Next Session of House: 9:30 a.m., Friday, July 2, 1971.

Next Session of Senate: 9:00 a.m., Friday, July 2, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 123

-1199-

FRIDAY, JULY 2, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 928 Beach area insurance coverage (Iden. H 1489) GS 58
Introducer: Futrell Sent to INSUR

"To extend the definition of beach area under Article 18A of Chapter 58 of the General Statutes." Identical with H 1489, digested in Bulletin No. 122, p. 1188.

S 929 Amend Ch. 708, SL 1971-Medicaid (Iden. H 1506) APPROPRIATION
Introducer: Henley Sent to APPROPRIATION

"To amend Chapter 708 of the Session Laws of 1971 so as to eliminate the ten days limitation of eligibility for inpatient hospital payments, and to change the proportionate part of medicaid payments to be paid by the State from 90% to 85%." As title indicates, amends budget appropriation act.

S 931 Vehicle removal-service stations-2 GS 20
Introducer: Coggins Sent to COURTS

"To provide for removal of unauthorized vehicles from gasoline service station premises." Adds new GS 20-163.3 making it unlawful to leave a motor vehicle unattended at service station for more than 48 hours without consent of owner. Authorizes station owner to give notice to owner of such a vehicle by certified mail and if no action taken within 10 days of return of receipt showing notice was received, the vehicle may be removed and stored, registered owner to be liable for reasonable costs of removal and storage. In the alternative, station owner or operator may dispose of vehicle pursuant to GS 44A-4(b)-(g) (sale under statutory lien).

S 932 Subsid. & affil. corp.-taxes GS 105
Introducer: Kirby Sent to FINANCE

"To amend G.S. 105-130.6 subsidiary and affiliated corporations." Amends GS 105-130.6 (providing for corporate income tax and its computation by parent, subsidiary or affiliate corporations) by deleting provision that interest payments between such corporations in excess of 6% be considered excessive. Effective January 1, 1971.

S 933 (Joint Resolution) Local Gov't Study Comm'n STUDY
Introducer: Mills Sent to LOC GOVT

"Continuing the Local Government Study Commission." Continues Comm'n through January 1, 1973 consisting of three Senators appointed by the President, six members of the House appointed by Speaker, and six citizens appointed by Governor. Comm'n to



select its chairman and other officers needed. Comm'n membership declared to be office which may be held concurrently under NC Const. Comm'n directed to continue study of matters assigned by Sec. 3, Res. 76, 1967 SL, to prepare and recommend legislation to implement Art. V of NC Const. as amended by Ch. 1200, SL 1969, and other studies deemed advisable by Comm'n. Comm'n to report findings and recommendations to 1973 General Assembly. Members entitled to per diem, travel, subsistence under GS 138-5. Comm'n authorized to employ assistance, procure materials and services as necessary, and may accept gifts. Expenses to be paid from C. & E. Fund under GS 143-12. All state and local agencies directed to provide Comm'n with information as provided by GS Ch. 120.

S 934 (S Res.) Consol. claims section-State
Introducer: Baugh

"Authorizing the Director of the Budget to transfer positions and funds to the Department of Justice to create a consolidated claims section to handle claims for and against the State." As title indicates, authorizes transfer of \$54,727 from funds appropriated to Bd. of Educ., Code 18403. Authorizes Dep't of Personnel to assign the two positions which are assigned to the Bd. of Educ. for handling claims for and against the State, to the Attorney General's Office. Dir. of Budget further directed to provide for payment by Highway Comm'n to the Dep't of Justice a sufficient amount to transfer the one adjustor now employed by the Highway Comm'n to the Dep't of Justice for handling of claims for and against the State with expenses incident to this position being borne by Highway Comm'n funds.

HOUSE

H 1502 Cost-of-living increase
Introducers: S. Johnson and others

"To contingently appropriate sufficient funds to provide a cost of living salary increase for State employees for the fiscal year 1972-73 and to provide for prorating of all contingency appropriations." Appropriates \$11,123,378 from General Fund for fiscal 1972-73 to provide cost of living salary increase for the following: permanent State employees subject to State Personnel Act; administrative employees of court system whose salaries are not fixed by statute; county clerks of NCSU Agricultural Extension Service; Ports Authority staff who are exempt from SPA; and clerical assistants, property and cost clerks, attendance counselors, clerks in schools, janitors and maids, and bus drivers and mechanics who are public school employees. Appropriates \$4,734,747 out of Highway Fund for fiscal 1972-73 for permanent Highway Fund employees subject to SPA. Sets out procedures for Director of Budget to transfer funds from those appropriations, and to transfer the unexpended balance to the appropriations for Salary Adjustments of State Employees. Provides that all contingency appropriations made by the Gen'l Assembly shall share pro rata in the actual revenues collected in excess of \$1,030,185,000 for the General Fund for fiscal 1971-72. Effective July 1, 1971.

H 1503 Numbered House districts
Introducers: Gentry and Barbee

"Rewriting Section 4 of Chapter 1063 of the 1967 Session Laws relating to the numbering of seats in the House of Representatives in multi-member representative districts." Rewrites indicated section to provide for numbered seats in following districts: 1st, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 12th, 18th, 19th, 21st, 22nd, 28th, 31st, 33rd, 38th, 40th, 43rd. Effect is to add requirement of numbering seats to following districts: 5th, 19th, 31st, 33rd, 38th, and 40th; and to eliminate requirement following districts: 2nd, 10th, 11th, 14th, 15th, 16th, 29th, 30th, 32nd, 37th, 44th, 45th, 46th, 48th, 49th.

H 1505 ECU med. school on Bd. of Anatomy
Introducer: Bundy

GS 90
Sent to CALENDAR

"Making the East Carolina University School of Medicine a member of the North Carolina Board of Anatomy." Amends GS 90-211 as title indicates.

H 1506 Amend Ch. 708, SL 1971-Medicaid (Iden. S 929)
Introducer: Royall

APPROPRIATION
Sent to APPROPRIATION

"To amend Chapter 708 of the Session Laws of 1971 so as to eliminate the ten days limitation of eligibility for inpatient hospital payments, and to change the proportionate part of medicaid payments to be paid by the State from 90% to 85%." Identical with S 929, digested in Senate section of today's Bulletin.

H 1507 Seal on public vehicles
Introducer: Hege

GS 14
Sent to CALENDAR

"To amend G.S. 14-250 to require state, county, agency or institution seal to be painted on public vehicles." Rewrites GS 14-250 to require executive head of agencies or institutions of State or county government to have painted on vehicles owned by State or county a statement that vehicle belongs to State or county unit of government. Excepts from act vehicles used by law enforcement officers to transport, apprehend or arrest persons. In lieu of such painted sign, allows such vehicles to have a circle showing replica of seal of State or county of ownership painted or affixed to side, provided license tag and plate on front of vehicle show "State owned." Authorizes Council of State to exempt any State-owned vehicle from act when they find to be in public interest. Exemption to be effective upon filing of notice of exemption with Sec'y of State identifying vehicle, stating use to be made, showing individual or department to which assigned, and period of exemption (which may not exceed 12 months). Effective January 1, 1972.

H 1508 ABC permits-list to police
Introducer: Hege

GS 18A
Sent to CALENDAR

"To amend Chapter 18A of the General Statutes of North Carolina as it relates to the issuance of permits pursuant to the provisions of G.S. 18A-30." Amends GS 18A-15 as it is contained in S 107 by adding new subsection (16) requiring the State ABC Bd., in those jurisdictions where no city or county ABC Bd. is established, to mail to the sheriff or to the chief of police a list of all permits issued under GS 18A-30, or other provision during the year in the month of January, and also send notice in writing as each permit is issued during the year. Effective May 1, 1972.

LOCAL BILLS INTRODUCED

SENATE

S 930 Littleton tax listing
Introducer: Allsbrook

HALIFAX, WARREN
Sent to LOC GOVT

"Relating to the listing and assessing of all real and personal property and polls subject to the taxation by the town of Littleton which is situated in two counties." Provides Littleton in property tax assessments may follow either GS 105-33 ("Tax lists and assessment powers of cities and towns") or GS 105-34 ("Cities and towns situated in more than one county") or such combination of the two as desired; and specifically to establish different rates for parts of town lying in Halifax and Warren Counties, respectively. Effective January 1, 1972.

HOUSE

H 1504 Make Sanderson a veterinarian
Introducers: Baker and Hardison

DUPLIN, GS 90
Sent to CALENDAR

"To qualify Leland R. Sanderson to practice veterinary medicine or surgery in Beulaville, North Carolina, and surrounding area." As title indicates.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 277 Legis. retirement contributions (Iden. H 424, digested in Bulletin No. 42, p. 304)
Amendment adopted in House 7/2/71 makes following additions to bill: (1) Any former member or elected officer of the General Assembly who has at least four full terms of creditable service and who has attained the age of 65 shall be entitled to receive from the Fund a monthly retirement allowance of \$25 per each full term of service. Credit shall be given for each full term of service as an active member or elected officer for which the member or elected officer makes the contribution required by GS 120-4.1(1); provided, that a member or elected officer may make a contribution as calculated by GS 120-4.1(1) on the salary received in terms prior to the 1971 term so as to receive credit for terms served prior to the 1971 term. Credit shall be given to any member or elected officer serving in the 1969 session who has attained the age of 70 years, has a total of three terms of creditable service, has made the contribution required by GS 120-4.1(1) for the number of terms sought to be credited, and the member or elected officer qualifying shall be entitled to the retirement benefits provided for in this section. (2) Notwithstanding any other provisions of the section, any person who has served as a member or as an elected officer of the General Assembly for a total of four or more regular sessions and does not qualify under the provisions set out in (1) may file an application with the Dir. of the Legis. Ret. Fund, together with a certification as to his legislative service, including a certification as to his total salary for such service together with a remittance of a sum equal to 5% of such total salary. Such person shall be entitled to the benefits provided in the bill as amended. (3) Notwithstanding anything in the bill to the contrary, no person shall be entitled to receive a retirement allowance unless his service as a member or elected officer or as an employee of the State shall have been terminated and he shall have retired. No survivor benefits payable.

S 377 Service of process-acceptance (digested in Bulletin No. 58, p. 421; Committee Substitute digested in Bulletin No. 122, p. 1191)
Amendment adopted in Senate 7/2/71 provides that acceptance of service of process under act to have same force and effect as if process had been served by delivery of copy and summons and complaint to person signing acceptance.

S 641 Bald Head development (digested in Bulletin No. 91, p. 771; Amendments digested in Bulletin No. 122, p. 1192)
Amendments adopted in Senate 7/2/71 delete direction to Attorney General to institute legal proceeding to determine title to such acreage of Bald Head as claimed by State, making technical change, and adding proviso that act to be void unless \$1.5 million has been invested on or before December 31, 1971 in development of island.

- S 734 Revise private detective law (digested in Bulletin No. 101, p. 901)
Amendment adopted in House 7/2/71 deletes clause repealing Ch. 72, 1971 SL.
- S 861 Health maintenance plans (digested in Bulletin No. 116, p. 1093)
Technical amendments adopted in Senate 7/2/71.
- S 907 (Anson) Remove exemption (digested in Bulletin No. 121, p. 1177)
Committee Substitute adopted in Senate 7/2/71. Provides bill is applicable only to Anson and Johnston Counties.

HOUSE BILLS

- H 56 Equal employment opportunity (digested in Bulletin No. 7, p. 40)
Amendment adopted in House 7/2/71 includes within scope of bill all local political subdivisions (bill originally applied to State agencies).
- H 111 \$300 auto accident reports (digested in Bulletin No. 13, p. 85; Committee Substitute digested in Bulletin No. 73, p. 582)
Amendment adopted in Senate 7/2/71 reduces amount of property damage for which accident report must be made from \$300 to \$200.
- H 149 ABC sale-sticker (digested in Bulletin No. 17, p. 110)
Amendment adopted in House 7/2/71 requires name of municipality be included on sticker and number of store where purchased in units containing more than one store.
- H 169 Machinery Act of 1971 (digested in Bulletin No. 20, p. 129; Committee Substitute digested in Bulletin No. 111, p. 1023)
Amendment adopted in Senate 7/2/71 reduces the interest on unpaid taxes from 1% per month to 3/4% per month (interest of 2% beginning on Jan. 1 following due date of taxes and running until Feb. 1 left unchanged).
- H 285 Citizenship restored (digested in Bulletin No. 30, p. 205)
Committee Substitute adopted in House 7/2/71 provides person convicted of crime who forfeits citizenship shall have rights restored on completion of sentence including period of probation or parole or on receiving unconditional pardon. Provides procedure whereby person entitled to restoration may take oath before clerk of superior court or judge of General Court of Justice where he resides or was convicted to show eligible, request restoration, and agree to support Constitutions and laws of US and State. Requires cooperation from state adult and juvenile correctional agencies including probation and parole.
- H 322 Soft drink tax repeal (digested in Bulletin No. 33, p. 231)
Amendment adopted in House 7/2/71 makes act effective July 1, 1973, rather than 1971.
- H 863 State gov't reorganization (Iden. S 540; digested in Bulletin No. 80, p. 650; Committee Substitute digested in Bulletin No. 114, p. 1070, 1071; Amendments digested in Bulletins No. 116, p. 1102, No. 117, p. 1113, and No. 121, p. 1179)

Amendment adopted in Senate 7/2/71 designates transfer of the following state agencies to the Dep't of Art, Culture and History as Type I rather than Type II: NC Museum of Art; NC State Art Society; NC Symphony Society, Inc.; State Art Museum Building Comm'n; Library Certification Bd; and NC Arts Council.

H 948 Hospital Authorities Law rewrite (digested in Bulletin No. 87, p. 735, H Committee Substitute digested in Bulletin No. 107, p. 975)

Committee Substitute adopted in Senate 7/2/71 makes following changes in H Committee Substitute: (1) changes title to indicate act is applicable to every county and city; (2) deletes definition of "authority" and changes "directors" of hospital authorities to "commissioners"; (3) changes terms of commissioners after initial term, from 5 years to 3 years; (4) changes investment powers of authorities to permit investment in property or securities in which trustees, guardians, etc., acting in a fiduciary capacity may legally invest funds subject to their control (deletes reference to tying investment authority to GS 159-28.1 of Local Government Act); (5) deletes power of authorities to fix or revise rents, fees, and charges for the use of, or services rendered by hospital facilities; (6) adds restriction that bonds of authorities may be issued only for constructing, furnishing and equipping new buildings or additions to existing buildings (H C/S permitted bonds for corporate purpose); (7) deletes requirement that bond issues be approved by Local Gov'ment Comm'n and adds requirement that before bonds may be sold, notice of sale must be published in newspaper of general circulation and in a financial newspaper in New York and Chicago; (8) adds new provision that authorities' power of eminent domain shall not be exercised until a certificate of public convenience and necessity has been obtained from the Utilities Comm'n and gives Comm'n power to investigate facilities constructed or planned under act; and (9) adds provision specifically exempting authorities from Local Government Act and from County Fiscal Control Act.

H 978 Plumbing-heating Contractors (digested in Bulletin No. 90; p. 762; amendment digested in Bulletin No. 117, p. 1114)

Amendment adopted in Senate 7/2/71 modifies GS 87-21(d) to require only reasonable proof that a resident was engaged in business for a license without examination

H 1143 Placing waste in State waters (digested in Bulletin No. 100, p. 893)

Amendment adopted in Senate 7/2/71 requires that depositing trash etc. on land of another or in waters of State be willful to be unlawful.

H 1421 (MECKLENBURG) Charlotte Charter-retiree insur. (digested in Bulletin No. 117, p. 1112)

Amendment adopted in House 7/2/71 makes technical correction.

SENATE AND HOUSE

CALENDAR ACTION

JUL.02,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 107 LIQUOR LAW REVISION.(3/24, 3/25, 6/29) S-CONCURRED H AMENDS #1-14; S-CONCURRED H AMENDS 16-17; S-FAILED CONCUR H AMEND 15; S-CONF COM APPOINTED.
- S. 195 LIVESTOCK LAW REWRITE.(3/25, 6/07) S-CONCURRED IN H AMEND.
- S. 277 LEGIS. RETIREMENT CONTRIBUTION.(5/19, 7/02) H-COM AMEND FAILED; H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING.
- S. 323 UNCONSCIONABLE CONTRACTS REMEDY. S-PASSED 2ND & 3RD READING.
- #S. 363 UTILITIES COMM'N-CLARIFYING ACT. RATIFIED CH. 736.
- S. 377 SERVICE OF PROCESS-ACCEPTANCE.(7/01, 7/02) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- S. 395 SENATORIAL DISTRICTS.(6/30) S-PLACED CAL FOR JULY 5.
- #S. 540 ST GOV'T REORGANIZATION.(6/21) S-POSTPONED INDEF..
- #S. 623 INCORPORATE CITY IN SANIT. DIST.. RATIFIED CH. 737.
- S. 638 AUTO INSUR. CLASS. 260 PLAN.(6/24) S-FAILED CONCUR IN H AMEND; S-CONF COM APPOINTED.
- S. 641 BALD HEAD DEVELOPMENT.(7/01, 7/02) S-FLOOR AMENDS ADOPTED; S-FLOOR AMEND FAILED; S-PASSED 3RD READING.
- S. 643 MILK COMM'N LAW REWRITE.(6/28) H-REPTD FAV.
- S. 670 TRANSIT SYSTEM FRANCHISE TAX REDUC..(6/11) H-POSTPONED TO JULY 8.
- S. 675 DENTISTRY LAW REVISION.(6/25) H-PASSED 3RD READING.
- S. 676 DENTAL HYGIENE LAW REVISION.(6/25) H-PASSED 3RD READING.
- #S. 726 CPA CERTIFICATE FEES. RATIFIED CH. 738.
- S. 734 REVISE PRIVATE DETECTIVE LAW.(7/02) H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING.
- S. 743 CREATING METRO CITY WATER DISTRICTS. H-REPTD FAV AS AMENDED.
- S. 748 LICENSE AUTO DAMAGE APPRAISERS. H-PASSED 3RD READING.
- S. 760 (J.RES.) MEMORIALIZING RALPH W. SLATE.(6/25) S-CONCURRED IN H AMEND.
- #S. 761 AMEND LIVESTOCK MKT. ACT.(6/28) RATIFIED CH. 739.
- S. 764 HIGHER EDUCATION FEES. S-PLACED ON CAL JULY 5.
- S. 799 CLASSIF. OF RESIDENCES-PROP. TAX. S-REPTD FAV.
- S. 837 LICENSING GRAIN DEALERS. S-PASSED 2ND READING.
- #S. 839 LICENSING LIVESTOCK DEALERS-2. H-FAILED 2ND READING.
- S. 861 HEALTH MAINTENANCE PLANS.(7/02) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- S. 862 POWER PLANT SITING.(6/29) H-RE-REF COM ON JUDIC 1.
- H. 56 EQUAL EMPLOYMENT OPPORTUNITY.(7/02) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.

- H. 59 UNIFORM MUNICIPAL ELECTION LAWS.(6/18, 6/22, 6/23) S-REPTD FAV.
- H. 100 DAY-CARE FACILITIES-2.(6/01, 6/03) S-REPTD FAV.
- H. 111 \$300 AUTO ACCIDENT REPORTS.(3/24, 4/23, 7/02) S-COM AMENDS ADOPTED; S-PASSED 2ND & 3RD READING.
- #H. 149 ABC SALE-STICKER.(7/02) H-COM AMEND ADOPTED; H-FAILED 2ND READING.
- H. 156 RETAIL INSTALLMENT SALES ACT.(5/27, 6/01) S-PLACED CAL FOR JULY 5.
- H. 169 MACHINERY ACT OF 1971.(6/16, 6/22, 6/23, 7/01, 7/02, 7/02) S-FLOOR AMEND FAILED; S-FLOOR AMEND ADOPTED; S-PASSED 3RD READING; H-REC TO CONCUR S AMENDS; H-CONCURRED IN S AMENDS; H-LAST ACTION RECONSIDERED; S-RECALLED FROM HOUSE; S-RECONSIDERED 3RD READING; S-AMENDMENT RECONSIDERED; S-RECONSIDERED 2ND READING; S-FLOOR AMEND ADOPTED; S-PASSED 2ND READING.
- H. 229 PRELIMINARY HEARING.(7/01) H-PASSED 2ND & 3RD READING.
- #H. 238 HOSPITAL RECORDS AS EVIDENCE. H-REPTD UNFAV.
- H. 285 CITIZENSHIP RESTORED.(7/02) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 318 PUBLIC DRUNKS, NON-CRIMINAL.(6/25) H-PASSED 2ND READING; H-PLACED CAL FOR JULY 6.
- H. 322 SOFT DRINK TAX REPEAL.(7/02) H-COM AMEND ADOPTED; H-PASSED 2ND READING.
- H. 375 VALIDATING FORECLOSURE DATES. H-REPTD FAV AS AMENDED.
- H. 392 ARSON LAW CHANGES.(5/25, 5/26) S-PLACED ON CAL JULY 6.
- H. 418 AERONAUTICS REVISION.(6/04) S-PASSED 2ND READING.
- H. 610 LOCAL GOVERNMENT FINANCE ACT.(6/15, 6/21) S-REPTD FAV AS AMENDED.
- H. 649 ENVIRONMENTAL POLICY ACT.(5/28) S-REPTD FAV.
- H. 682 SUMMARY EJECTMENT IN MOBILE HOMES. S-REPTD FAV.
- #H. 687 REPEALING CHARTERS-INACTIVE TOWNS.(5/26, 5/26, 6/02, 6/29, 6/30) RATIFIED CH. 740.
- H. 699 FILLING VACANCIES-COUNTY COMM'RS.(5/26) S-PASSED 2ND & 3RD READING.
- H. 747 ASSAULT LAW REWRITE-2.(6/07, 6/14) S-PASSED 2ND & 3RD READING.
- H. 780 AID TO PRIVATE COLLEGES.(5/12, 5/18) S-PASSED 3RD READING.
- H. 796 DISCHARGE OF LIEN BY BOND.(5/07) S-REPTD FAV.
- #H. 817 STUDY COMM'N, UNC UTILITIES. S-POSTPONED INDEF..
- H. 828 CORRECTING SL 1971, CH. 208. S-REPTD FAV.
- H. 834 FARM LAND VALUATION-2.(6/08, 6/09, 7/01) H-POSTPONED TO JULY 6.
- H. 862 PUBLIC SCHOOL EMPLOYEE SICK LEAVE. S-PASSED 2ND & 3RD READING.
- H. 863 STATE GOV'T REORGANIZATION.(6/21, 6/23, 6/24, 6/30) S-PASSED 3RD READING.
- #H. 886 ADD'L SEAT OF COURT-HALIFAX. RATIFIED CH. 727.
- H. 890 PHYSICIANS' ASS'TS REGISTRATION.(6/04) S-PLACED ON CAL JULY 5.

- #H. 900 LEG'VE APPROVAL NON-SPA SALARIES.(5/26, 6/01, 6/21, 6/24)
RATIFIED CH. 728.
- H. 902 AFFIDAVITS OF CHEMISTS. H-REPTD FAV.
- H. 928 TRANSFER OF RECORDED SOUNDS. H-POSTPONED TO JULY 5.
- #H. 939 NURSE ANESTHETISTS REGULATED. H-POSTPONED INDEF.
- H. 940 CURB SIDE VOTING-DISABLED.(6/11, 6/17) H-REC TO CONCUR IN S
AMEND; H-CONCURRED IN S AMEND.
- H. 948 HOSPITAL AUTHORITIES LAW REWRITE.(6/10, 6/17, 7/02) S-REP
FAV COM SUB AS AMEND; S-COM SUBSTITUTE ADOPTED.
- H. 977 PROHIBITING LAW PRACTICE BY BANKS.(6/03) S-PASSED 2ND & 3RD
READING.
- H. 978 PLUMBING-HEATING CONTRACTORS.(6/24, 7/02) S-FLOOR AMEND
ADOPTED; S-PASSED 2ND & 3RD READING.
- H. 979 COMPARATIVE NEGLIGENCE. H-REPTD FAV AS AMENDED.
- H.1014 (J.RES.) COMMENDING EDEN'S JULY 4TH. S-PASSED 2ND & 3RD
READING.
- H.1037 SCHOOL CONSTRUCTION BOND ISSUE.(7/01) H-PASSED 3RD READING.
- H.1045 FEE INCREASE FOR CERTIFIED COPY. S-PASSED 3RD READING.
- H.1062 DISCOVERY OF INSURANCE INFORMATION. S-PASSED 2ND & 3RD
READING.
- H.1081 NO DISCRIMINATION HANDICAPPED. S-PASSED 2ND & 3RD READING.
- H.1094 MUTUAL INSUR. CO. DIRECTORS. S-PASSED 2ND & 3RD READING.
- H.1095 MUTUAL INSUR. COMPANIES CAPITAL. S-PASSED 2ND & 3RD READING.
- H.1099 NC HOUSING CORPORATION ACT-AMEND. S-PASSED 2ND & 3RD READING.
- H.1143 PLACING WASTE IN STATE WATERS.(7/02) S-COM AMEND ADOPTED;
S-PASSED 2ND & 3RD READING.
- H.1181 CONST'L LIMIT-INCORP. CITIES.(6/25) H-PASSED 3RD READING.
- H.1247 TAX CREDIT-ASSIST HANDICAPPED. H-REPTD FAV.
- H.1329 DESCRIPTION OF HOMESTEAD EXEMPTION. H-REPTD FAV.
- H.1330 HOMESTEAD EXEMPTION FEES. H-REPTD FAV.
- H.1339 (J.RES.) ROLE OF NURSES STUDY COMM'N. H-PASSED 2ND & 3RD
READING.
- H.1340 (J.RES.) GENERAL ASSEMBLY STUDY COMM'N. S-REC FROM HOUSE;
S-REF TO COM ON RULES.
- #H.1348 COUNTY INTANGIBLES TAX EXEMPTIONS. H-REPTD UNFAV.
- H.1380 SANITARY DIST. BOND INTEREST. H-PASSED 3RD READING.
- H.1383 (J.RES.) PROP. TAX EXEMPT. STUDY COMM'N. H-REPTD FAV.
- H.1386 LICENSE FEE,PRACTIC. PSYCHOLOGISTS. H-REPTD FAV.
- H.1418 REDUCING SAVINGS & LOAN TAXES. H-REPTD FAV.
- H.1423 (J.RES.) MENTAL HEALTH DEP'T STUDY. H-REPTD FAV.
- H.1433 MENT. RETARDED-DAY CARE FUNDS. H-REPTD FAV.
- H.1434 (J.RES.) MEMORIALIZING WEIL. S-PASSED 2ND & 3RD READING.
- H.1449 (J.RES.) MEMORIALIZING JUDGE CARR. S-PASSED 2ND & 3RD
READING.

LOCAL BILLS

- S. 449 (GUILFORD) HIGH PT. POLICE PENSIONS. H-PASSED 2ND READING.
- S. 749 (HALIFAX) ROANOKE RAPIDS CITY LIMITS.(6/16, 6/21) H-REPTD
FAV AS AMENDED.
- S. 828 (HARNETT) DUNN ABC FUND. H-PASSED 2ND & 3RD READING.

- S. 847 (HALIFAX) ROANOKE RAPIDS CITY LIMITS. H-REPTD FAV AS AMENDED.
- S. 858 (GUILFORD) GREENSBORO HOUS DEV CL'HOUSE COMM'N. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 865 (GASTON) GASTONIA CHARTER. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 888 (CLEVELAND) DRIVE-IN MOVIES. S-REPTD FAV.
- S. 892 (WARREN) COUNTY COMM'RS-4 YEAR TERMS. S-REPTD FAV.
- S. 899 (IREDELL) SCHOOL BD. COMPENSATION. S-PASSED 2ND READING.
- S. 902 (YANCEY) BD. EDUCATION ELECTIONS. S-REPTD FAV.
- S. 907 (ANSON) REMOVE EXEMPTION.(7/02) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
- S. 927 (FORSYTH) PURCHASE PREFAB SCHOOLS-2. S-REPTD FAV AS AMENDED.
- #H. 377 (CRAVEN) COUNTY ECONOMIC DEVELOPMENT. H-REPTD UNFAV.
- H. 432 (ORANGE) COUNTY SCHOOL BOARD ELECTION.(4/09) S-PASSED 2ND & 3RD READING.
- H. 562 (ROBESON) MARKING ELECTION BALLOT. S-REPTD FAV.
- H. 970 (NASH) SALES AND USE TAXES.(6/18) S-REPTD FAV.
- H. 971 (EDGEcombe) SALES AND USE TAXES.(6/18) S-REPTD FAV.
- #H.1140 (DUPLIN) WALLACE CONTRACT BID LIMITS.(6/17) RATIFIED CH. 729.
- H.1161 (MECKLENBURG) CHARLOTTE AIR RIGHTS OVER STREETS. S-REPTD FAV.
- #H.1195 (MOORE) INCORPORATE WEST END.(6/21) RATIFIED CH. 730.
- #H.1203 (ROBESON) MAXTON CHARTER.(6/18) RATIFIED CH. 731.
- #H.1240 (GRANVILLE) STOVALL BONDS. RATIFIED CH. 732.
- #H.1242 (ROWAN) CITY,COUNTY ZONING.(6/18) RATIFIED CH. 733.
- H.1251 (EDGEcombe) PRINCEVILLE ANNEXATION.(6/18) S-REPTD FAV AS AMENDED.
- #H.1252 (MITCHELL) TAX LISTING BY MAIL. RATIFIED CH. 734.
- H.1271 (ANSON) FINANCE ACT. S-REPTD FAV.
- H.1278 (NORTHAMPTON) BOARD OF EDUCATION MEMBERS. S-PASSED 2ND & 3RD READING.
- H.1279 (MECKLENBURG) BOARD OF EDUC.-TERM OF MEMBERS. S-PASSED 2ND & 3RD READING.
- H.1280 (MECKLENBURG) BOARD OF EDUC.-PAY OF MEMBERS. S-PASSED 2ND & 3RD READING.
- #H.1284 (UNION) MONROE SCHOOL BOUNDARIES. RATIFIED CH. 735.
- H.1295 (CLEVELAND) FALLSTON CHARTER. S-REPTD FAV.
- #H.1296 (MECKLENBURG) CHARLOTTE CIVIL SERVICE BD.. H-REPTD UNFAV.
- H.1297 (BUNCOMBE, HENDERSON) ASHEVILLE-HENDERSONVILLE AIRPORT. S-REPTD FAV.
- H.1302 (BUNCOMBE) BD. OF TAX SUPERVISION.(6/25) S-REPTD FAV AS AMENDED.
- H.1303 (DAVIDSON) LEXINGTON-RELEASE OF EASEMENT. S-REPTD FAV.
- H.1307 (WARREN) SCHL BD-CTY.COMM'RS-ELECTION DIST. H-REPTD FAV AS AMENDED.
- H.1320 (CRAVEN) NEW BERN POLICE DEP'T. S-REPTD FAV.
- H.1321 (PERQUIMANS) WINFALL COMM'RS. S-REPTD FAV.
- H.1334 (DURHAM) DURHAM CITY COUNCIL MEETINGS. S-REPTD FAV.
- H.1335 (CLEVELAND) EARL STATION CHARTER. S-REPTD FAV.
- H.1338 (LINCOLN) INCORPORATING NEW TOWNS. S-REPTD FAV.
- H.1344 (CHOWAN) EDENTON STREETS AND SIDEWALKS. S-REPTD FAV.

H.1354 (HARNETT) ERWIN ELECTIONS. H-POSTPONED TO JULY 5.
H.1358 (CLEVELAND) CASAR LIVES AGAIN. S-REPTD FAV.
H.1361 (MOORE) AMEND CHAPTER 279,1971 SL. S-REPTD FAV.
H.1390 (RICHMOND) AMENDING NORMAN'S CHARTER.(6/25) S-REPTD FAV.
H.1400 (NASH) INDUST. DEV. FUNDS. S-REPTD FAV.
H.1405 (NEW HANOVER) COUNTY ACCOUNTANT. S-REPTD FAV.
H.1411 (DURHAM) PUBLIC FRANCHISES. H-PASSED 2ND READING.
H.1413 (RANDOLPH) RANDLEMAN-CONVEYANCE. S-REPTD FAV.
H.1419 (NEW HANOVER) TAX COLLECTION CONSOLIDATION. H-PASSED 2ND
READING.
H.1421 (MECKLENBURG) CHARLOTTE CHARTER-RETIREE INSUR..(7/02) H-COM
AMEND ADOPTED; H-PASSED 2ND READING.
H.1471 (ROBESON) CITY-COUNTY SCHOOL MERGER. S-REPTD FAV.

Next Session of Senate: 7:00 p.m., Monday, July 5, 1971.

Next Session of House: 8:00 p.m., Monday, July 5, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 124

-1211-

MONDAY, JULY 5, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 936 (Joint Resolution) Creating State Fair Comm'n STUDY
Introducer: Baugh Sent to AGRICULT

"Creating the Commission to Study the Operation of the North Carolina State Fair." Creates a six member study comm'n, three members to be appointed by Speaker of House and three members to be appointed by Pres. of Senate, to study operations of State Fair to determine whether Fair should continue to be operated by Dep't of Agriculture. Comm'n to file report with members of General Assembly on or before Jan. 1, 1973, containing its findings, conclusions and recommendations. Expenses of comm'n to be paid from Contingency and Emergency Fund, not to exceed \$7,500.

S 938 18 year statutory majority GS 1, 14, 18, 20
Introducer: Alley Sent to COURTS

"To amend the General Statutes to change the majority age from 21 years to 18 years." As title indicates amends the following sections of the General Statutes: 1-17(1); 1-371; 1-389; 14-7.1; 14-198; 14-400; 20-10; 20-48; 31-32; 33-2; 33-25; 33-68 (1) and (2); 33-71 (d); 33-74 (d); 35-44 (d); 39-13.2 (a); 46-12; 47-115.1 (a); 48-2 (1); 48-4 (a); 48-8; 48-29 (a); 48-36 (a), (b) and (c); 55-6; 55A-6; 58-41 (1); 58-205.1; 66-11; 66-49.3 (c); 76-5 (1); 76-62; 83-8; 85A-4; 85A-11; 90-271; 90-272; 95-86 (3) f.; 96-8 (6) g. 7; 97-2 (5); 105-4 (b); 105-188 (d); 105-249 (a); 105-341 (a); 108-24 (3); 113-48; 113-98; 113-276 (c); 115-1; 130-190; 143-300; 160-38; 162-2; 163-70; 163-86; 14-332; 18-51; 18-75 (5); 18-90.1; 18-130 (6); 18-146; 18A-8 (a) (4); 18A-39 (a) (6); 18A-42 (b); 134-27; 134-84.7; 134-84.8; 134-86; 134-108 and 134-69.

S 939 (Joint Resolution) Tax Study Comm'n-directive STUDY, GS 105
Introducer: Joyner Sent to FINANCE

"Requiring the Tax Study Commission to study tax incentives to encourage construction of export facilities and to encourage the export of North Carolina goods and products." As title indicates; report to be submitted to Governor by Sept., 1972.

S 940 Credit for using seat belts (Iden. H 1511) GS 20
Introducer: Crawford Sent to HY SAFTY

"To amend G.S. 20-16 to reward drivers who wear seat belts by allowing them credit under the point system." Identical with H 1511, digested in the House section of today's Bulletin.

S 941 Codifying certain 1971 acts (Iden. H 1510) GS 160, 160A
Introducer: Mills Sent to LOC GOVT

"To provide for the codification of certain acts enacted by the 1971 General



Assembly, and for the codification of other certain acts introduced in the 1971 General Assembly, in order to conform them to the provisions of new General Statutes Chapter 160A, enacted as Chapter 698 of the 1971 Session Laws; and to conform Chapter 698 to the provisions of Chapter 638 of the 1971 Session Laws, pertaining to open meetings." Identical with H 1510, digested in the House section of today's Bulletin.

HOUSE

H 1509 (Joint Resolution) Payroll deduction study-LRC GS 147, STUDY
Introducer: Frye Sent to CALENDAR

"Requesting the Legislative Research Commission to study payroll deductions authorized by G.S. 147-62 and to make recommendations to the 1973 General Assembly thereon." As title indicates; report to be made to 1973 General Assembly.

H 1510 Codifying certain 1971 acts (Iden. S 941) GS 160, 160A
Introducers: S. Johnson and Watkins Sent to JUDIC 1

"To provide for the codification of certain acts enacted by the 1971 General Assembly, and for the codification of other certain acts introduced in the 1971 General Assembly, in order to conform them to the provisions of new General Statutes Chapter 160A, enacted as Chapter 698 of the 1971 Session Laws; and to conform Chapter 698 to the provisions of Chapter 638 of the 1971 Session Laws, pertaining to open meetings." As title indicates, provides detailed repealing and codifying directions for certain 1971 Session Laws affecting GS Ch. 160 and 160A. Effective Jan. 1, 1972.

H 1511 Credit for using seat belts (Iden. S 940) GS 20
Introducer: Hardison Sent to CALENDAR

"To amend G.S. 20-16 to reward drivers who wear seat belts by allowing them credit under the point system." Provides whenever law enforcement officer investigates accident reportable under GS 20-166.1 and does not charge operator of vehicle with violation of motor vehicle law and determines operator and all passengers at time of accident were wearing seat belts, operator to receive 3 point deduction from his driving record. Effective Oct. 1, 1971.

LOCAL BILLS INTRODUCED

SENATE

S 935 Elizabethtown ABC vote BLADEN
Introducer: Frink Sent to LOC GOVT

"To authorize the qualified voters of the Town of Elizabethtown to determine whether alcoholic beverage control stores shall be established in said Town and to prescribe the method of operation and the disposition of the net profits thereof." Authorizes town comm'rs, upon petition of 15% of registered voters to hold election on establishment of ABC stores in town. If majority vote in favor of stores, calls for establishment of town ABC Bd. and directs revenues from store to be allocated as follows: after payment of all costs and operating expenses and retention of working capital, no more than 10% nor less than 5% of gross profits for law enforcement; from net profits, 12 1/2% to Elizabethtown Rescue Squad, 12 1/2% to Elizabethtown Fire Dep't, 65% to Town General Fund, and 10% to Bladen County Bd. of Educ.

S 937 Police jurisdiction-Seven Springs
Introducer: Strickland

WAYNE
Sent to LOC GOVT

"To increase the jurisdiction of the police of Seven Springs to one mile beyond the town limits." As title indicates.

HOUSE

None

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 140 Right-of-way signs (digested in Bulletin No. 24, p. 160)

Committee Substitute adopted in Senate 7/5/71 adds new provision requiring State Highway Comm'n to remove all existing signs giving notice of existing right-of-way boundaries outside municipal boundaries, except where such signs are necessary to establish notice of right-of-way, other than 50 feet from the center of the highway on either side.

S 428 Visual environmental controls (Iden. H 706; digested in Bulletin No. 66, p. 503; H Committee Substitute #1 digested in Bulletin No. 111, p. 1023;

H Committee Substitute #2 digested in Bulletin No. 115, p. 1086; S Committee Substitute adopted 6/23/71 identical with H Committee Substitute #2)

Amendment to S. Committee Substitute adopted in Senate 7/5/71 deletes all of proposed rewrite of GS 20-61 ("Owner dismantling or wrecking vehicle to return evidence of registration") and GS 20-62 ("Sale of motor vehicles to be scrapped").

S 643 Milk Comm'n Law rewrite (Iden. H 991, digested in Bulletin No. 91, p. 773)

Amendment adopted in House 7/5/71 deletes provisions of bill that prohibit use of milk as "loss leader."

S 664 Abandonment of roads (digested in Bulletin No. 94, p. 808)

Committee Substitute adopted in Senate 7/5/71 adds to provisions for consent of abandonment of roads that the State Highway Comm'n must give 90 day notice by registered mail (bill as amended contained no time limitation).

S 733 Workmen's Comp.-employee death-3 (digested in Bulletin No. 101, p. 901)

Amendment adopted in Senate 7/5/71 provides abandoning parent provision to apply when child reaches majority less than one year after parent has resumed care of child.

S 734 Revise private detective law (digested in Bulletin No. 101, p. 901)

Amendment adopted in House 7/5/71 deletes provision repealing Ch. 72

SL 1971.

S 743 Creating metro water districts (digested in Bulletin No. 102, p. 909)

Amendment adopted in House 7/5/71: (1) clarifies that term "cost" in act refers to reserve for debt service rather than only debt service interest; (2) substitutes "voters" for "freeholders" in provisions concerning creation of dists.; and (3) deletes provision stating that obligations and claims upon the dist's. revenues shall be subordinate to required payments upon the outstanding water bonds of any municipality originally included within the dist.

S 749 (Halifax) Roanoke Rapids city limits (digested in Bulletin No. 103, p. 926, Committee Substitute digested in Bulletin No. 114, p. 1071)

Amendment adopted in House 7/5/71 makes act effective upon ratification rather than July 2, 1971.

S 775 Interstate environmental compacts (Iden. H 1230, digested in Bulletin No. 107, p. 972)

Amendment adopted in Senate 7/5/71 deletes provisions permitting altering the State's police power or other power or authority in accordance with Art. 4 of the act or subsequent agreements and deletes sec. 5 of act (concerning withdrawal from compact).

S 787 Auto dealers license (digested in Bulletin No. 109, p. 933)

Amendment adopted in Senate 7/5/71 requires sale of 6 (originally, 3) motor vehicles within 12 month period for creation of presumption person is motor vehicle dealer for purposes of act.

S 847 (Halifax) Roanoke Rapids city limits (digested in Bulletin No. 116, p. 1099)

Amendment adopted in House 7/5/71 changes effective date from July 2 to date of ratification.

S 848 Regulating auto insurance rates-4 (digested in Bulletin No. 116, p. 1091)

Amendment adopted in Senate 7/5/71 makes provisions of GS 58-246, -247, and -248 not apply to publicly owned vehicles except ambulances and rescue squad vehicles which are owned and operated by a county or municipality.

S 853 Student morality (digested in Bulletin No. 116, p. 1092)

Amendment adopted in Senate 7/5/71 clarifies point that only some students and officials have evidenced a "lack of a sense of direction."

S 859 Amend Ch. 508, 1971 SL (digested in Bulletin No. 116, p. 1093)

Amendment adopted in Senate 7/5/71 makes act apply to judges continuing in office until last day of month in which reach age 70 (originally, until first day of month after month in which 70 reached).

S 866 Canned dog food law (Iden. H 1359, digested in Bulletin No. 115, p. 1078)

Amendment adopted in Senate 7/5/71 provides label to carry name and address of manufacturer or distributor (bill required manufacturer).

S 927 (Forsyth) WS/Forsyth prefab. schools (Iden. H 1490 digested in Bulletin No. 122, p. 1190)

Amendment adopted in Senate 7/5/71 deletes requirement from bill that the relationship of school units and components within the total complex, and the units and components themselves, be designed by registered architects or engineers "as prescribed by the General Statutes."

HOUSE BILLS

H 156 Retail Installment Sales Act (digested in Bulletin No. 18, p. 117; Committee Substitute digested in Bulletin No. 97, p. 860; Amendment digested in Bulletin No. 100, p. 895)

Amendments adopted in Senate 7/5/71 make following changes: (1) makes clarifying and technical corrections; (2) adds requirement that assignee of seller in consumer credit sale of personal property, in order to effect by buyer waiver of defenses against original seller as to assignee, assignee must send waiver as well as written notice of assignment to the buyer, who then continues to have 30 days to notify assignee of defenses; (3) provides that when single buyer has made several purchases from a single seller, secured by various security interests, and when seller either takes security interest in earlier goods sold to secure later goods, or has consolidated two or more contracts, if amount of payments increased, increase

to go to last sale or contract, and balance to be pro-rated among all sales or contracts (previously, balance to be pro-rated only among the earlier sales or contracts); (4) extends maximum period of payment under consumer credit installment sale contract, if amount financed is under \$1,500, to 42 months (was, 38 months); and if amount is \$1,500 or greater, but less than \$3,000, to 64 months (was, six month); (5) requires seller to tend to buyer statement of account each twelve month (was, six month) period following execution of contract, and also when buyer repays (was, offers to repay) the debt early; and modifies information required on the statement by requiring itemized charges for expenses of repossession, storage and legal expense only in event of early termination of the contract, and by deleting requirement that statement show any rebate and any payment of charges for defaults and deferral charges; (6) allows seller 45 days (was, 30 days) to deliver insurance policy to buyer, after purchase of insurance; (7) provides that rebates of cancelled insurance to continue to be computed under the rule of 78's, but states that the prepayment charge not to be deducted (previously, the acquisition cost was not to be deducted); (8) strikes out provision that in case insurance premium added in the contract and buyer did not actually pay the premium, the return premium plus unearned finance charge to be applied equally over the remaining installments of the contract not yet due; (9) provides that if required insurance premium is adjusted upward by insurance company or added in accordance with the contract, buyer may pay additional premium, or have the premium plus finance charge added to unpaid balance and spread equally over remaining installments, with in latter case the seller having right to require buyer to be financed by seller in accordance with NC Insurance Regs. (previously, buyer could also pay the additional premium and finance charges on final installment date; and there was no right in the seller to require financing of additional premium).

Floor amendments adopted in Senate 7/5/71: (1) allowing each instrument of indebtedness in a consumer credit sale to clearly indicate on its face that it arises out of a consumer credit sale (in lieu of being identified on its face as a consumer credit document), (2) providing that such designation of an instrument in a sale not a "consumer credit sale" by definition of this act does not make it one, and (3) deleting sales of personal wearing apparel from definition of home solicitation sales.

H 948 Hospital authorities law rewrite (digested in Bulletin No. 87, p. 735,
H Committee Substitute digested in Bulletin No. 107, p. 975, S Committee
Substitute digested in Bulletin No. 123, p. 1204)

Amendment adopted in Senate 7/5/71 to S Committee Substitute makes technical changes.

H 1161 (Mecklenburg) Charlotte air rights over streets (digested in Bulletin No. 102, p. 912)

Amendment adopted in Senate 7/5/71 makes technical changes.

H 1251 (Edgecombe) Princeville annexation (digested in Bulletin No. 109, p. 995)
Technical amendment adopted in Senate 7/5/71.

H 1302 (Buncombe) Bd. of Tax Supervision (digested in Bulletin No. 112, p. 1038)
Amendment adopted in Senate 7/5/71 deletes provision stating that if county comm'rs and city council are unable to agree on budget, they shall be deemed to have approved the budget submitted by Bd., and provision requiring Bd.'s accounting system to be jointly approved by chairman of county comm'rs and mayor.

H 1307 (Warren) Schl. Bd., cty. comm'rs-election dists. (digested in Bulletin No. 112, p. 1038)

Technical amendment adopted in House 7/5/71.

H 1421 (Mecklenburg) Charlotte Charter-retiree insur. (digested in Bulletin No. 117, p. 1112)

Technical amendment adopted in House 7/5/71.

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 140 RIGHT-OF-WAY SIGNS.(7/05) S-REPTD FAV COM SUB; S-COM SUB ADOPTED.
 #S. 195 LIVESTOCK LAW REWRITE.(3/25, 6/07) RATIFIED CH. 741.
 S. 204 WILDLIFE PROTECTOR RETIREMENT.(4/20) S-PASSED 2ND & 3RD READING.
 S. 323 UNCONSCIONABLE CONTRACTS REMEDY. H-REF TO COM ON CALENDAR.
 S. 395 SENATORIAL DISTRICTS.(6/30) S-RE-REF COM ON G ASSEMB.
 S. 428 VISUAL ENVIRONMENT CONTROLS.(6/23) S-PASSED 2ND & 3RD READING.
 S. 432 WATER-AIR MANAGEMENT, CONTROLS.(6/29, 7/05) S-COM AMEND ADOPTED; S-PLACED ON CAL JULY 6.
 S. 538 NC MEM. HOSP. DIRECTORS.(6/16) S-PASSED 2ND & 3RD READING.
 S. 539 CERTAIN STATE AGENCIES ABOLISHED.(6/25) S-PASSED 2ND & 3RD READING.
 S. 643 MILK COMM'N LAW REWRITE.(6/28) H-PASSED 2ND READING.
 S. 660 EMINENT DOMAIN-COURT COSTS. S-REPTD FAV AS AMENDED.
 S. 664 ABANDONMENT OF ROADS.(6/15, 7/05) S-REPTD FAV COM SUB; S-COM SUB ADOPTED.
 #S. 675 DENTISTRY LAW REVISION.(6/25) RATIFIED CH. 755.
 #S. 676 DENTAL HYGIENE LAW REVISION.(6/25) RATIFIED CH. 756.
 S. 689 MOTOR VEHICLE LENDERS.(6/30) S-PASSED 2ND & 3RD READING.
 S. 703 COSTS IN CONDEMNATION ACTIONS.(6/17) S-REPTD FAV.
 S. 733 WORKMEN'S COMP.-EMPLOYEE DEATH-3.(7/05) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
 S. 734 REVISE PRIVATE DETECTIVE LAW.(7/02) H-PASSED 3RD READING.
 S. 735 DRIVER LICENSE PROBATION. S-PASSED 2ND & 3RD READING.
 S. 743 CREATING METRO CITY WATER DISTRICTS.(7/05) H-COM AMEND ADOPTED; H-POSTPONED TO JULY 6.
 #S. 748 LICENSE AUTO DAMAGE APPRAISERS. RATIFIED CH. 757.
 #S. 760 (J.RES.) MEMORIALIZING RALPH W. SLATE.(6/25) RATIFIED RES. 93.
 S. 764 HIGHER EDUCATION FEES. S-PLACED ON CAL JULY 6.
 S. 775 INTERSTATE ENVIRONMENTAL COMPACT.(7/05) S-COM AMEND ADOPTED; S-PASSED 2ND READING.
 S. 783 STATE GOALS AND POLICY COUNCIL. S-PASSED 2ND & 3RD READING.
 S. 787 AUTO DEALERS LICENSE.(7/05) S-COM AMEND ADOPTED.
 S. 788 TRAFFIC LAWS-PEMBROKE STATE UNIV.. S-PASSED 2ND & 3RD READING.
 S. 790 SCHOOL COUNSELOR-PRIVILEGED COMM.. S-PASSED 2ND READING.

- S. 799 CLASSIF. OF RESIDENCES-PROP. TAX. S-PLACED ON CAL JULY 6.
- S. 802 REGIONAL SEWAGE DISPOSAL SYSTEMS. S-PASSED 2ND & 3RD READING.
- S. 829 COMPULSORY WORKMEN'S COMP. LAW. S-PASSED 2ND & 3RD READING.
- S. 832 ASS'T SCHOOL SUPT CONTRACTS. S-PASSED 2ND & 3RD READING.
- S. 836 APPEALS FROM IND'L COMM'N. S-PASSED 2ND & 3RD READING.
- S. 837 LICENSING GRAIN DEALERS. S-PASSED 3RD READING.
- S. 838 EDUC. INSTITS.-PAVED STREETS. S-REPTD FAV AS AMENDED.
- S. 844 CONFORMING GS CH. 23 WITH GS CH. 7A. S-PASSED 2N & 3RD READING.
- S. 848 REGULATING AUTO INSURANCE RATES-4.(7/05) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- S. 850 VALIDATING CORPORATE CONVEYANCES. S-PASSED 2ND & 3RD READING.
- S. 851 MARINE SCIENCE COUNCIL. S-PLACED ON CAL JULY 6.
- S. 852 PRIVATE SCHOOL BUSES. S-REPTD FAV.
- S. 853 (J.RES.) STUDENT MORALITY.(7/05) S-COM AMEND ADOPTED; S-PLACED ON CAL JULY 6.
- S. 855 DETENTION OF MENTALLY ILL. S-PLACED ON CAL JULY 6.
- S. 859 AMEND CH. 508,1971 SL.(7/05) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- S. 866 CANNED DOGFOOD LAW.(7/05) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- S. 871 (J.RES.) MENTAL HEALTH DEP'T STUDY. S-ADOPTED.
- S. 876 COMMERCIAL FISHERIES STUDY COMM'N. S-PASSED 2ND & 3RD READING.
- S. 881 INTEREST ON AGRICULTURAL LOANS. S-RE-REF COM ON BANKING.
- S. 883 TAXATION OF ACCT. RECEIVABLE-2. S-PLACED ON CAL JULY 8.
- S. 891 EXEC. ORDERS-PUBLICATION. S-PASSED 2ND & 3RD READING.
- #S. 894 POSSESSORY LIEN; CORRECTION-1. S-POSTPONED INDEF.
- S. 895 POSSESSORY LIEN; CORRECTION-2. S-PASSED 2ND & 3RD READING.
- S. 897 REVOC. PROCEDURE-INSUR. LICENSE. S-PASSED 2ND & 3RD READING.
- S. 916 GENERAL ASSEMBLY EXPENSE PAYMENTS. S-PASSED 2ND & 3RD READING.
- S. 920 (J.RES.) SOLID WASTE DISPOSAL STUDY. S-PASSED 2ND & 3RD READING.
- S. 921 WASTE DISPOSAL AREA PLATS. S-PASSED 2ND & 3RD READING.
- S. 924 INSURANCE LAPSE HEARINGS. S-PASSED 2ND & 3RD READING.
- H. 59 UNIFORM MUNICIPAL ELECTION LAWS.(6/18, 6/22, 6/23) S-PLACED ON CAL JULY 6.
- H. 111 \$300 AUTO ACCIDENT REPORTS.(3/24, 4/23, 7/02) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- H. 156 RETAIL INSTALLMENT SALES ACT.(5/27, 6/01, 7/05) S-COM AMEND ADOPTED; S-PASSED 2ND READING.
- H. 169 MACHINERY ACT OF 1971.(6/16, 6/22, 6/23, 7/01, 7/02, 7/02) S-PASSED 3RD READING; H-REC FROM SENATE.
- H. 210 SLOW VEHICLE REFLECTORS.(3/30, 3/30, 3/31) S-PLACED ON CAL JULY 6.
- H. 418 AERONAUTICS REVISION.(6/04) S-PLACED ON CAL JULY 7.
- H. 610 LOCAL GOVERNMENT FINANCE ACT.(6/15, 6/21) S-PASSED 2ND READING.
- H. 649 ENVIRONMENTAL POLICY ACT.(5/28) S-RE-REF COM ON CONS&DEV.

- H. 682 SUMMARY EJECTION IN MOBILE HOMES. S-PASSED 2ND & 3RD READING.
- #H. 699 FILLING VACANCIES-COUNTY COMM'RS.(5/26) RATIFIED CH. 743.
- H. 747 ASSAULT LAW REWRITE-2.(6/07, 6/14) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- #H. 780 AID TO PRIVATE COLLEGES.(5/12, 5/18) RATIFIED CH. 744.
- H. 796 DISCHARGE OF LIEN BY BOND.(5/07) S-PASSED 2ND & 3RD READING.
- H. 828 CORRECTING SL 1971,CH. 208. S-PASSED 2ND & 3RD READING.
- #H. 862 PUBLIC SCHOOL EMPLOYEE SICK LEAVE. RATIFIED CH. 745.
- H. 863 STATE GOV'T REORGANIZATION.(6/21, 6/23, 6/24, 6/30) S-RECONSIDERED 3RD READING; S-PASSED 3RD READING.
- #H. 940 CURB SIDE VOTING-DISABLED.(6/11, 6/17) RATIFIED CH. 746.
- H. 948 HOSPITAL AUTHORITIES LAW REWRITE.(6/10, 6/17, 7/02, 7/05) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- #H. 957 NO TOLLS ON STATE FERRIES.(6/18) S-REPTD UNFAV.
- #H. 977 PROHIBITING LAW PRACTICE BY BANKS.(6/03) RATIFIED CH. 747.
- H. 978 PLUMBING-HEATING CONTRACTORS.(6/24, 7/02) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- H.1007 CAMPUS VEHICLE REGISTRATION. S-REPTD FAV.
- H.1008 LICENSING RENTAL VEHICLES. S-REPTD FAV.
- #H.1014 (J.RES.) COMMENDING EDEN'S JULY 4TH. RATIFIED RES. 94.
- #H.1045 FEE INCREASE FOR CERTIFIED COPY. RATIFIED CH. 749.
- #H.1062 DISCOVERY OF INSURANCE INFORMATION. RATIFIED CH. 750.
- #H.1081 NO DISCRIMINATION HANDICAPPED. RATIFIED CH. 748.
- #H.1094 MUTUAL INSUR. CO. DIRECTORS. RATIFIED CH. 751.
- #H.1095 MUTUAL INSUR. COMPANIES CAPITAL. RATIFIED CH. 752.
- #H.1099 NC HOUSING CORPORATION ACT-AMEND. RATIFIED CH. 753.
- H.1143 PLACING WASTE IN STATE WATERS.(7/02) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- H.1292 HAM VEHICLE LICENSES.(7/05) S-REPTD FAV COM SUB; S-COM SUB ADOPTED.
- H.1330 HOMESTEAD EXEMPTION FEES. H-PASSED 2ND READING.
- H.1386 LICENSE FEE,PRACTIC. PSYCHOLOGISTS. H-PASSED 2ND READING.
- H.1388 POWER PLANT SITING.(6/25) H-REF TO COM ON JUDIC 1.
- H.1401 REGULATING AUTO INSURANCE RATES-4. H-REPTD FAV AS AMENDED.
- H.1418 REDUCING SAVINGS & LOAN TAXES. H-PASSED 2ND READING.
- #H.1434 (J.RES.) MEMORIALIZING WEIL. RATIFIED RES. 95.
- #H.1449 (J.RES.) MEMORIALIZING JUDGE CARR. RATIFIED RES. 96.
- H.1509 PAYROLL DEDUCTION STUDY-LRC. H-REF TO COM ON CALENDAR.
- H.1511 X. H-REF TO COM ON CALENDAR.

LOCAL BILLS

- S. 449 (GUILFORD) HIGH PT. POLICE PENSIONS. H-PASSED 3RD READING.
- S. 749 (HALIFAX) ROANOKE RAPIDS CITY LIMITS.(6/16, 6/21, 7/05) H-COM AMEND ADOPTED; H-PASSED 2ND READING.
- #S. 828 (HARNETT) DUNN ABC FUND. RATIFIED CH. 742.
- S. 847 (HALIFAX) ROANOKE RAPIDS CITY LIMITS.(7/05) H-COM AMEND ADOPTED; H-PASSED 2ND READING.
- S. 869 (MECKLENBURG) EXTRA-TERRITORIAL POWERS. S-RE-REF COM ON LOC GOVT.

- S. 888 (CLEVELAND) DRIVE-IN MOVIES. S-PASSED 2ND & 3RD READING.
- S. 892 (WARREN) COUNTY COMM'RS-4 YEAR TERMS. S-PASSED 2ND & 3RD READING.
- S. 899 (IREDELL) SCHOOL BD. COMPENSATION. S-PASSED 3RD READING.
- S. 902 (YANCEY) BD. EDUCATION ELECTIONS. S-PASSED 2ND & 3RD READING; S-RECONSIDERED 3RD READING; S-RE-REF COM ON LOC GOVT.
- S. 907 (ANSON) REMOVE EXEMPTION.(7/02) S-PASSED 2ND & 3RD READING.
- S. 927 (FORSYTH) PURCHASE PREFAB SCHOOLS-2.(7/05) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- S. 930 (HALIFAX, WARREN) LITTLETON TAX LISTING. S-REPTD FAV.

- #H. 432 (ORANGE) COUNTY SCHOOL BOARD ELECTION.(4/09) RATIFIED CH. 758.
- H. 562 (ROBESON) MARKING ELECTION BALLOT. S-PLACED ON CAL JULY 8.
- H. 970 (NASH) SALES AND USE TAXES.(6/18) S-PASSED 2ND READING.
- H. 971 (EDGEcombe) SALES AND USE TAXES.(6/18) S-PASSED 2ND & 3RD READING.
- H.1161 (MECKLENBURG) CHARLOTTE AIR RIGHTS OVER STREETS.(7/05) S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- H.1251 (EDGEcombe) PRINCEVILLE ANNEXATION.(6/18, 7/05) S-COM AMEND ADOPTED; S-PASSED 2ND READING.
- H.1271 (ANSON) FINANCE ACT. S-PASSED 2ND & 3RD READING.
- #H.1277 (YADKIN) SHERIFF'S DEPUTIES-REGULATION. H-REC FROM SENATE; H-POSTPONED INDEF.
- #H.1278 (NORTHAMPTON) BOARD OF EDUCATION MEMBERS. RATIFIED CH. 759.
- #H.1279 (MECKLENBURG) BOARD OF EDUC.-TERM OF MEMBERS. RATIFIED CH. 754.
- #H.1280 (MECKLENBURG) BOARD OF EDUC.-PAY OF MEMBERS. RATIFIED CH. 760.
- H.1295 (CLEVELAND) FALLSTON CHARTER. S-PASSED 2ND READING.
- H.1297 (BUNCOMBE, HENDERSON) ASHEVILLE-HENDERSONVILLE AIRPORT. S-PASSED 2ND & 3RD READING.
- H.1302 (BUNCOMBE) BD. OF TAX SUPERVISION.(6/25) S-PASSED 2ND READING.
- H.1303 (DAVIDSON) LEXINGTON-RELEASE OF EASEMENT. S-PASSED 2ND & 3RD READING.
- H.1307 (WARREN) SCHL BD-CTY.COMM'RS-ELECTION DIST.(7/05) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H.1320 (CRAVEN) NEW BERN POLICE DEP'T. S-PASSED 2ND READING.
- H.1321 (PERQUIMANS) WINFALL COMM'RS. S-PASSED 2ND READING.
- H.1334 (DURHAM) DURHAM CITY COUNCIL MEETINGS. S-PASSED 2ND READING.
- H.1335 (CLEVELAND) EARL STATION CHARTER. S-PASSED 2ND READING.
- H.1338 (LINCOLN) INCORPORATING NEW TOWNS. S-PASSED 2ND READING.
- H.1344 (CHOWAN) EDENTON STREETS AND SIDEWALKS. S-PASSED 2ND READING.
- H.1354 (HARNETT) ERWIN ELECTIONS. H-REF TO COM ON CALENDAR.
- H.1358 (CLEVELAND) CASAR LIVES AGAIN. S-PASSED 2ND READING.
- H.1361 (MOORE) AMEND CHAPTER 279,1971 SL. S-PASSED 2ND READING.
- H.1390 (RICHMOND) AMENDING NORMAN'S CHARTER.(6/25) S-PASSED 2ND READING.
- H.1400 (NASH) INDUST. DEV. FUNDS. S-PASSED 2ND READING.
- H.1405 (NEW HANOVER) COUNTY ACCOUNTANT. S-PASSED 2ND & 3RD READING.

H.1411 (DURHAM) PUBLIC FRANCHISES. H-PASSED 3RD READING.
H.1413 (RANDOLPH) RANDLEMAN-CONVEYANCE. S-PASSED 2ND READING.
H.1419 (NEW HANOVER) TAX COLLECTION CONSOLIDATION. H-PASSED 3RD
READING.
H.1471 (ROBESON) CITY-COUNTY SCHOOL MERGER. S-PASSED 2ND READING.

Next Session of House: 11:30 a.m., Tuesday, July 6, 1971.

Next Session of Senate: 11:45 a.m., Tuesday, July 6, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
P. O. BOX 7294, RALEIGH, N. C.
27611 TEL. 755-3355
829-7677

BULLETIN NO. 125

-1223-

TUESDAY, JULY 6, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 942 Amend Ch. 241, 1971 SL
Introducer: Currie

GS 14, 116
Sent to JUDIC 1

"To amend Chapter 241 of the 1971 Session Laws so as to exempt private police employed by public or private institutions of higher education." As title indicates, exempting such private police from Chapter 241, which made unlawful the possession or carrying of firearms and other weapons on the property of any public or private educational institution.

S 943 Spec. sup. court judge-term
Introducer: Bailey

GS 7A
Sent to COURTS

"To amend G.S. 7A-45 to provide that the term of office of a special superior court judge whose term expires June 30, 1971, is extended until his successor is appointed and qualified." As title indicates. Effective June 30, 1971.

S 944 Funding NC Courts Comm'n
Introducer: Bailey

APPROPRIATION, GS 7A
Sent to APPROPN

"To appropriate funds for the North Carolina Courts Commission." Appropriates from General Fund to Courts Comm'n \$20,000 for each year of the 1971-73 biennium. Effective July 1, 1971.

HOUSE

H 1512 Solid waste disposal site acquis.
Introducers: Love and Arnold

GS 130
Sent to CALENDAR

"Relating to solid waste disposal." Adds new GS 130-166.18(4) authorizing any county having an approved plan of solid waste disposal to acquire solid waste disposal sites through exercise of eminent domain only after certification by Dir. of Div. of Sanitary Engineering that county is unable to acquire approved site by purchase at reasonable cost or in any other way.

H 1514 18 year old tobacco weighers
Introducer: Green

GS 81, 106
Sent to WILDLIFE

"To permit persons 18 years of age and older to qualify to weigh tobacco in leaf tobacco warehouses." Amends GS 81-36 and 106-453 as title indicates.



H 1515 (Joint Resolution) Gov'tal immunity study-LRC GS 115, 153, 160, STUDY
Introducers: R. Brown and others Sent to CALENDAR

"Directing the Legislative Research Commission to study the problems arising from the governmental immunity and the proprietary liability of local governments for torts of their officers and employees." As title indicates; LRC to report findings to 1973 General Assembly.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 1513 Raleigh/Wake soil erosion control WAKE
Introducers: S. Johnson, R. Farmer, Twiggs Sent to CALENDAR
and Wynne

"To authorize either the City of Raleigh or Wake County or both by ordinances to regulate soil erosion." As title indicates, permitting Wake County and/or Raleigh to require submission of plan for construction or other projects which alter the natural structure of the land mass, and to require obtaining of permit conforming with sediment control program adopted by ordinance. Provides Wake plan may apply within any municipality of county whose governing body by resolution agrees to such regulation.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 221 Juvenile jurisdiction (digested in Bulletin No. 37, p. 260)
Amendment adopted in Senate 7/6/71 makes effective date of act July 1, 1972, rather than 1971.

S 234 Southern lateral seaward bndry. (digested in Bulletin No. 39, p. 276)
Amendment adopted in House 7/6/71 clarifies that latitude in act is 33° 27' 0"

S 420 Oil pollution, utility sites (Iden. H 685; digested in Bulletin No. 64, p. 490;
Committee Substitute digested in Bulletin No. 117, p. 1112)
Amendment adopted in House 7/6/71 provides that nothing in Art. 27 of GS Ch. 11 ("Oil and Gas Conservation") is to affect the responsibilities vested in NC Bd. of Water and Air Resources by Art. 7 of GS Ch. 87 ("North Carolina Well Construction Act").

S 432 Water-air management, controls (Iden. H 720, digested in Bulletin No. 66, p. 509)

Committee Substitute adopted in Senate 6/29/71 makes following changes:
(1) deletes specific descriptions of rivers or portions of rivers to be included in initial system of natural and scenic river system; (2) amends penalty portion of natural rivers provisions to require official notification by Dep't of Water and Air Res. before each day's failure to comply with law or regulation shall constitute a separate violation; (3) amends judicial review procedures for permit denials in floodway provisions by stating that the party seeking review shall be entitled to jury trial and that pending final disposition of the appeal no action shall be taken that would be unlawful in the absence of a permit;

4) amends GS 143-213(5) to change the present definition of "air pollution" from the existing tautology to "air contaminants in such quantities and duration as is or tends to be injurious to human health or welfare, to animal or plant life or to property or that interferes with the enjoyment of life or property"; (5) adds new GS 143-215.3(a)(11)d8 permitting Bd. of Water and Air Res. to take action to abate air pollution in a locality when local authorities have failed or refused to take appropriate action; (6) amends GS 143-215.3(a)(11)e.1.iv to clarify that local pollution control authorities may adopt rules, regulations, and standards already adopted by the State Bd. by reference without public hearing; (7) deletes in its entirety Art. 3 of the bill, dealing with regional sewage disposal planning; (8) deletes proposed GS 130-161.2, dealing with sanitary use of septic tank systems; and (9) deletes in its entirety the proposed amendment to GS 143-215.8 concerning injunctive relief by director or ass't director of Bd. of Water and Air Res. where violations of Art. are about to occur.

Amendment to Committee Substitute adopted in Senate 7/5/71 deletes from GS 113-422 language stating policy of Art. to designate initial component of the system of natural rivers for immediate inclusion in the system.

451 Sanitation of farm labor camps (digested in Bulletin No. 69, p. 535; Committee Substitute digested in Bulletin No. 115, p. 1085; Senate amendment digested in Bulletin No. 118, p. 1136) Floor amendment adopted in Senate 7/6/71 limits bill to Haywood and Henderson counties.

660 Eminent domain-court costs (digested in Bulletin No. 94, p. 807)

Amendment adopted in Senate 7/6/71 deletes provision for Attorney General's effecting settlement in proceeding brought under GS 136-111 and changes effective date of act from Jan. 1, 1972 to upon ratification.

703 Costs in condemnation actions (digested in Bulletin No. 96, p. 840; amendment digested in Bulletin No. 112, p. 1039)

Amendment adopted in Senate 7/6/71 attempts to make technical amendment in bill.

715 Uniform general election ballots (digested in Bulletin No. 98, p. 867)

Committee Substitute adopted in Senate 7/6/71 makes following changes: (1) provisions for separate judicial ballot deleted so that Supreme Court Justices, Judges of the Court of Appeals and Superior Court Judges placed on state ballot with Gov., Lt. Gov., etc., and District ct. judges and solicitors placed on district ballot with candidates for State Senate and House; and (2) directions for colors of several ballots deleted, but St. Bd. of Elections directed to see that ballots are of separate and distinct colors.

743 Creating metro water districts (digested in Bulletin No. 102, p. 909; amendment digested in Bulletin No. 124, p. 1213)

Floor amendment adopted in House 7/6/71 provides that if any water, sewer or other special purpose district encompasses in whole or in part within its bounds a municipality, the district may not petition for inclusion within a metro. water district unless the municipal governing body approves the petition, or itself makes such a petition for the inclusion in the metro. water district of the municipality.

816 Seed potato law changes (digested in Bulletin No. 112, p. 1032)

Amendment adopted in Senate 7/6/71 provides that nothing in act shall prohibit sale for use for propagation purposes in this State of Irish or sweet potatoes or parts thereof grown in any state (bill provided NC only) when sold by the grower thereof to a planter having personal knowledge of the conditions under which such potatoes were grown.

S 825 Small watershed changes (Iden. H 1325; digested in Bulletin No. 113, p. 1049)
Amendments adopted in Senate 7/6/71: (1) Provides provisions of act shall not apply to activities and functions of the NC State Bd. of Health and local health dep'ts engaged in mosquito control for protection of health and welfare of people of coastal area of NC as provided under GS 130-206 through 130-209. (2) Provides public hearing of Bd. or its designee shall be held pursuant to provisions of GS 143-215.4(d) (except as to not provisions given in act), and that decision of Bd. shall be subject to review pursuant to GS 143-215.5.

S 838 Educ. instits.-paved streets (Iden. H 1350; digested in Bulletin No. 114, p. 1065)
Amendment adopted in Senate 7/6/71 changes direction of State Highway Comm'n to construct enumerated projects when authorized by appropriations bills rather than by capital improvement appropriation bill.

S 851 Marine Science Council (digested in Bulletin No. 116, p. 1091)
Floor amendment adopted in Senate 7/6/71 (1) providing that ex officio members of the Council may be represented by their designees; and (2) modifying some of the Council duties by (a) deleting all mention of a "Coastal Zone Authority", (b) deleting duty to prepare a comprehensive plan for development of marine resources and replacing it with duty to coordinate efforts toward full development of such resources, (c) deleting duty to initiate plans for implementation of federal legislation and replacing it with duty to coordinate plans for implementation of federal, state and local legislation, and (d) deleting duty to review regulatory programs relating to the area and replacing it with duty to review management programs relating thereto.

S 852 Private School buses (digested in Bulletin No. 116, p. 1092)
Technical amendment adopted in Senate 7/6/71.

HOUSE BILLS

H 100 Day-care facilities-2 (Iden. S 72; digested in Bulletin No. 12, p. 77; Committee Substitute digested in Bulletin No. 100, p. 895; Amendment digested in Bulletin No. 102, p. 914)
Amendment adopted in Senate 7/6/71 empowers Bd. to issue an "A" license for compliance with provisions of act, and an "AA" license for licensees meeting the voluntary higher standards promulgated by Bd.

H 318 Public drunks, non-criminal (Iden. S 179; digested in Bulletin No. 32, p. 223, Committee Substitute digested in Bulletin No. 118, p. 1137)
Amendment adopted in House 7/6/71 makes three alternative actions of peace officer upon finding an intoxicated person (direct or transport him to his residence, direct or transport him to health care or other appropriate facility, or transport him to jail for detoxification purposes) mandatory, rather than discretionary; that is, officer must take one of the three possible actions.

H 339 Chemical test refusal revocation-2 (digested in Bulletin No. 35, p. 246)
Amendment adopted in House 7/6/71 changes effective date of act from July 1, 1971 to Oct. 1, 1971.

H 375 Validating foreclosure dates (digested in Bulletin No. 38, p. 269)
Amendment adopted in House 7/6/71 changes date of validation from prior to Feb. 1, 1971, to prior to Feb. 1, 1968, and adds provision that act shall not affect pending litigation.

700 Tort claims-local liability (digested in Bulletin No. 65, p. 498; Committee Substitute digested in Bulletin No. 95, p. 832)
Amendment adopted in House 7/6/71 adds limitation that amount of damages awarded under it not to exceed \$50,000.

706 Visual environmental controls (digested in Bulletin No. 66, p. 506, Committee Substitute #1 digested in Bulletin No. 111, p. 1023; Committee Substitute #2 digested in Bulletin No. 115, p. 1086)
Floor amendment adopted in House 7/6/71 requires at least one-fourth of members of a community appearance commission be persons not employed in design fields (e.g., architecture, landscape design, horticulture, city planning, etc.).

RATUM:

The Bulletin for Monday, July 5, 1971 incorrectly indicated an amendment to S 643 was adopted in the House on that date; in fact, the amendment failed.

SENATE AND HOUSE

CALENDAR ACTION

JUL.06,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 140 RIGHT-OF-WAY SIGNS.(7/05) S-PASSED 2ND & 3RD READING.
#S. 221 JUVENILE JURISDICTION.(7/06) S-FLOOR AMEND ADOPTED; S-TABLED.
S. 234 SOUTHERN LATERAL SEAWARD BNDRY.(7/06) H-COM AMEND ADOPTED;
H-PASSED 2ND & 3RD READING.
S. 249 PODIATRY DEFINED.(7/01) S-REC TO CONCUR IN H AMEND; S-FAILED
CONCUR IN H AMEND; S-CONF COM APPOINTED.
S. 277 LEGIS. RETIREMENT CONTRIBUTION.(5/19, 7/02, 7/06) H-FLOOR
AMENDS ADOPTED; H-PASSED 3RD READING.
S. 324 TAX-SHELTERED ANNUITIES-2.(5/11) H-PASSED 2ND & 3RD READING.
S. 420 OIL POLLUTION-UTILITY SITES.(6/24, 7/06) H-FLOOR AMEND
ADOPTED; H-PASSED 2ND & 3RD READING.
S. 445 NC PESTICIDE LAW OF 1971.(6/16) H-POSTPONED TO JULY 9.
#S. 538 NC MEM. HOSP. DIRECTORS.(6/16) RATIFIED CH. 762.
S. 579 TRANSFER OF RECORDED SOUNDS. H-PLACED CAL FOR JULY 8.
S. 643 MILK COMM'N LAW REWRITE.(6/28) H-RE-REF COM ON FINANCE.
S. 660 EMINENT-DOMAIN-COURT COSTS.(7/06) S-COM AMEND ADOPTED;
S-PASSED 2ND & 3RD READING.
S. 664 ABANDONMENT OF ROADS.(6/15, 7/05) S-PASSED 2ND & 3RD READING.
S. 689 MOTOR VEHICLE LENDERS.(6/30) H-REC FROM SENATE; H-REF TO COM
ON CALENDAR.
S. 703 COSTS IN CONDEMNATION ACTIONS.(6/17, 7/06) S-FLOOR AMEND
ADOPTED; S-PASSED 2ND & 3RD READING.
S. 715 UNIFORM GENERAL ELECTION BALLOTS.(7/06) S-REPTD FAV COM
SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
S. 724 SHERIFF'S LEGAL DEFENSE. S-REPTD FAV AS AMENDED.
S. 734 REVISE PRIVATE DETECTIVE LAW.(7/02) S-REC TO CONCUR IN H
AMEND; S-PLACED CAL FOR JULY 7.
S. 735 DRIVER LICENSE PROBATION. H-REC FROM SENATE; H-REF TO COM ON
CALENDAR.
S. 743 CREATING METRO CITY WATER DISTRICTS.(7/05, 7/06) H-FLOOR
AMEND ADOPTED; H-PASSED 2ND READING.
S. 764 HIGHER EDUCATION FEES. S-PLACED CAL FOR JULY 7.
S. 775 INTERSTATE ENVIRONMENTAL COMPACT.(7/05) S-PLACED CAL FOR
JULY 8.
S. 783 STATE GOALS AND POLICY COUNCIL. H-REC FROM SENATE.
S. 788 TRAFFIC LAWS-PEMBROKE STATE UNIV.. H-REC FROM SENATE; H-REF
TO COM ON CALENDAR.
S. 790 SCHOOL COUNSELOR-PRIVILEGED COMM.. S-PASSED 3RD READING.
#S. 792 POLITICAL ADVERTISING RATES. S-REPTD UNFAV.

- S. 799 CLASSIF. OF RESIDENCES-PROP. TAX. S-PLACED CAL FOR JULY 7.
- S. 802 REGIONAL SEWAGE DISPOSAL SYSTEMS. H-REC FROM SENATE.
- S. 816 SEED POTATO LAW CHANGES.(7/06) S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- S. 823 CREDIT FRAUDS. H-REPTD FAV AS AMENDED.
- S. 825 SMALL WATERSHED CHANGES.(7/06) S-COM AMENDS ADOPTED; S-PASSED 2ND & 3RD READING.
- S. 826 GOV'S MANSION BULDG. COMM'N. S-REPTD FAV.
- S. 829 COMPULSORY WORKMEN'S COMP. LAW. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 832 ASS'T SCHOOL SUPT CONTRACTS. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 836 APPEALS FROM IND'L COMM'N. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 837 LICENSING GRAIN DEALERS. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 838 EDUC. INSTITS.-PAVED STREETS.(7/06) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- S. 844 CONFORMING GS CH. 23 WITH GS CH. 7A. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 850 VALIDATING CORPORATE CONVEYANCES. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 851 MARINE SCIENCE COUNCIL.(7/06) S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- S. 852 PRIVATE SCHOOL BUSES.(7/06) S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- S. 861 HEALTH MAINTENANCE PLANS.(7/02) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- #S. 864 NO BOOTLEG CIGARETTES. S-REPTD UNFAV.
- S. 870 DEED OF TRUST CANCEL. BY BEN.-2. S-REPTD FAV.
- S. 873 HIGHWAY COMM'N-TAKING W/O COMPLAINT. S-REPTD FAV.
- S. 876 COMMERCIAL FISHERIES STUDY COMM'N. H-REC FROM SENATE.
- S. 887 REVIEW OF PROBATION. S-REPTD FAV AS AMENDED.
- S. 891 EXEC. ORDERS-PUBLICATION. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 895 POSSESSORY LIEN; CORRECTION-2. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 897 REVOC. PROCEDURE-INSUR. LICENSE. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 905 NO PYRAMID OR CHAIN SCHEMES. S-REPTD FAV AS AMENDED.
- S. 916 GENERAL ASSEMBLY EXPENSE PAYMENTS. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 917 CORRECTING EXCESSIVE SENTENCES. S-REPTD FAV.
- S. 918 AMEND CH. 512,1971 SL. S-REPTD FAV AS AMENDED.
- S. 920 (J.RES.) SOLID WASTE DISPOSAL STUDY. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 921 WASTE DISPOSAL AREA PLATS. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 924 INSURANCE LAPSE HEARINGS. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 931 VEHICLE REMOVAL-SERVICE STATIONS-2. S-REPTD FAV AS AMENDED.

- H. 56 EQUAL EMPLOYMENT OPPORTUNITY.(7/02) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.
- H. 100 DAY-CARE FACILITIES-2.(6/01, 6/03, 7/06) S-FLOOR AMEND ADOPTED; S-FLOOR AMENDS FAILED; S-PASSED 2ND READING.
- #H. 111 \$300 AUTO ACCIDENT REPORTS.(3/24, 4/23, 7/02) RATIFIED CH. 763.
- H. 156 RETAIL INSTALLMENT SALES ACT.(5/27, 6/01, 7/05) S-PASSED 3RD READING.
- H. 169 MACHINERY ACT OF 1971.(6/16, 6/22, 6/23, 7/01, 7/02, 7/02) H-PASSED 2ND READING.
- H. 229 PRELIMINARY HEARING.(7/01) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.
- H. 245 HUMAN TISSUE SALE.(4/27, 4/29) S-REPTD FAV AS AMENDED.
- H. 285 CITIZENSHIP RESTORED.(7/02) H-POSTPONED TO JULY 7.
- H. 318 PUBLIC DRUNKS, NON-CRIMINAL.(6/25, 7/06) H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING.
- H. 322 SOFT DRINK TAX REPEAL.(7/02) S-REC FROM HOUSE; S-REF TO COM ON FINANCE.
- #H. 339 CHEMICAL TEST REFUSAL REVOCATION-2.(7/06) H-FLOOR AMEND ADOPTED; H-TABLED.
- H. 375 VALIDATING FORECLOSURE DATES.(7/06) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 393 SUBCONTRACTORS' LIENS REWRITE.(6/25, 6/25) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.
- #H. 409 LOCAL WASTE DISCHARGE REPORTS.(6/24) H-FAILED 2ND READING.
- H. 528 DRIVER POINT REDUCTION-CLINIC.(5/12, 6/09) H-PASSED 2ND & 3RD READING.
- H. 551 LIQUOR IN PUBLIC SCHOOLS.(6/18) H-PASSED 2ND & 3RD READING.
- #H. 559 IMMUNITY WAIVER-TOWNS. H-REPTD UNFAV.
- H. 610 LOCAL GOVERNMENT FINANCE ACT.(6/15, 6/21) S-PASSED 3RD READING.
- #H. 682 SUMMARY EJECTMENT IN MOBILE HOMES. RATIFIED CH. 764.
- H. 685 OIL POLLUTION-UTILITY SITES.(6/24) H-POSTPONED TO JULY 7.
- H. 700 TORT CLAIMS-LOCAL LIABILITY.(5/25, 7/06) H-COM AMEND FAILED; H-FLOOR AMEND ADOPTED; H-POSTPONED TO JULY 7.
- H. 706 VISUAL ENVIRONMENT CONTROLS.(6/16, 6/22, 7/06) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- #H. 747 ASSAULT LAW REWRITE-2.(6/07, 6/14) RATIFIED CH. 765.
- #H. 781 WATER SUPPLY DAMAGES RECOVERABLE. H-REPTD UNFAV.
- #H. 796 DISCHARGE OF LIEN BY BOND.(5/07) RATIFIED CH. 766.
- #H. 828 CORRECTING SL 1971, CH. 208. RATIFIED CH. 767.
- H. 834 FARM LAND VALUATION-2.(6/08, 6/09, 7/01) H-POSTPONED TO JULY 9.
- H. 863 STATE GOV'T REORGANIZATION.(6/21, 6/23, 6/24, 6/30) H-REC TO CONCUR S AMENDS; H-FAIL TO CONCUR S AMENDS; H-CONF COM APPOINTED.
- H. 864 CERTAIN STATE AGENCIES ABOLISHED.(6/30) S-REC FROM HOUSE; S-REF TO COM ON ST GOVT.
- H. 926 BARBER LAW-PENALTY CHANGE.(6/11) S-REPTD FAV.
- H. 928 TRANSFER OF RECORDED SOUNDS. H-PLACED CAL FOR JULY 8.

- H. 933 GRANTOR OMITTED-DEEDS.(5/31) S-REPTD FAV AS AMENDED.
- H. 935 PRIMARY CANDIDATE QUALIFICATIONS.(5/28, 6/23) H-REPTD FAV.
- H. 948 HOSPITAL AUTHORITIES LAW REWRITE.(6/10, 6/17, 7/02, 7/05)
H-REC TO CONCUR IN S AMEND.
- #H. 978 PLUMBING-HEATING CONTRACTORS.(6/24, 7/02) RATIFIED CH. 768.
- #H. 991 MILK COMM'N LAW REWRITE. H-POSTPONED INDEF.
- H.1008 LICENSING RENTAL VEHICLES. S-PASSED 2ND & 3RD READING.
- H.1037 SCHOOL CONSTRUCTION BOND ISSUE.(7/01) S-REC FROM HOUSE; S-REF
TO COM ON APPROPRN.
- H.1038 NUISANCE DECLARATORY JUDGMENT. H-REPTD FAV AS AMENDED.
- H.1137 BULK TOBACCO BARNS SALES TAX.(6/25) S-REC FROM HOUSE; S-REF
TO COM ON FINANCE.
- #H.1143 PLACING WASTE IN STATE WATERS.(7/02) RATIFIED CH. 769.
- H.1181 CONST'L LIMIT-INCORP. CITIES.(6/25) S-REC FROM HOUSE; S-REF
TO COM ON CONSTUTN.
- H.1194 LABELING APPLES.(7/01) S-REC FROM HOUSE; S-REF TO COM ON
AGRICULT.
- H.1221 6-12 MEMBER CIVIL JURY-CONST. AMD.. S-REPTD FAV.
- H.1230 INTERSTATE ENVIRONMENTAL COMPACT.(6/30) S-REC FROM HOUSE;
S-REF TO COM ON CONS&DEV.
- #H.1258 SCHOOL BOARD PERSONALTY SALE. H-REPTD UNFAV.
- #H.1288 PRIMARY ELECTIONS IN SEPTEMBER. H-REPTD UNFAV.
- H.1292 HAM VEHICLE LICENSES.(7/05) S-PASSED 2ND READING.
- #H.1322 CREDIT FRAUDS. H-REPTD UNFAV.
- H.1328 \$5,000 HOMESTEAD EXEMPTION. H-REPTD FAV AS AMENDED.
- H.1330 HOMESTEAD EXEMPTION FEES. H-PASSED 3RD READING.
- H.1339 (J.RES.) ROLE OF NURSES STUDY COMM'N. S-REC FROM HOUSE; S-REF
TO COM ON PUB HLTH.
- #H.1375 INTERSTATE SUPPORT. H-REPTD UNFAV.
- H.1380 SANITARY DIST. BOND INTEREST. S-REC FROM HOUSE; S-REF TO COM
ON COURTS.
- H.1386 LICENSE FEE,PRACTIC. PSYCHOLOGISTS. H-PASSED 3RD READING.
- #H.1418 REDUCING SAVINGS & LOAN TAXES. H-FAILED 3RD READING.
- #H.1420 NO FISHING LICENSE OVER 70. H-REPTD UNFAV.
- #H.1424 DEED OF TRUST CANCEL. BY BEN.-2. H-REPTD UNFAV.
- H.1453 AMEND CH. 688,1971 SL. H-REPTD FAV.
- H.1461 REVOC. PROCEDURE-INSUR. LICENSE. H-REPTD FAV.
- H.1472 CAPE FEAR RIVER PILOT FEES-2. H-REPTD FAV.
- H.1484 NO WEAPONS FOR INMATES. H-REPTD FAV.
- H.1501 AMEND CH. 512,SL 1971. H-REPTD FAV.
- H.1503 NUMBERED HOUSE DISTRICTS. H-REPTD FAV AS AMENDED.

LOCAL BILLS

- #S. 449 (GUILFORD) HIGH PT. POLICE PENSIONS. RATIFIED CH. 761.
- #S. 451 (HAYWOOD, HENDERSON) SANITATION OF FARM LABOR CAMPS.(6/22,
6/25, 7/06) S-FLOOR AMEND ADOPTED; S-TABLED.
- S. 749 (HALIFAX) ROANOKE RAPIDS CITY LIMITS.(6/16, 6/21, 7/05)
H-PASSED 3RD READING.
- S. 847 (HALIFAX) ROANOKE RAPIDS CITY LIMITS.(7/05) H-PASSED 3RD
READING.

- S. 888 (CLEVELAND) DRIVE-IN MOVIES. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 892 (WARREN) COUNTY COMM'RS-4 YEAR TERMS. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 899 (IREDELL) SCHOOL BD. COMPENSATION. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 901 (COLUMBUS) CHADBOURN BEER SALES. S-REPTD FAV.
- S. 907 (ANSON) REMOVE EXEMPTION.(7/02) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 930 (HALIFAX, WARREN) LITTLETON TAX LISTING. S-PASSED 2ND READING.
- S. 935 (BLADEN) ELIZABETHTOWN ABC VOTE. S-REPTD FAV.
- H. 970 (NASH) SALES AND USE TAXES.(6/18) S-PASSED 3RD READING.
- H. 971 (EDGEcombe) SALES AND USE TAXES.(6/18) S-PASSED 3RD READING.
- H.1059 (ROWAN) TAXATION OF MINERAL INTERESTS.(6/30) S-REC FROM HOUSE; S-REF TO COM ON FINANCE.
- H.1161 (MECKLENBURG) CHARLOTTE AIR RIGHTS OVER STREETS.(7/05) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- H.1251 (EDGEcombe) PRINCEVILLE ANNEXATION.(6/18, 7/05) S-PASSED 3RD READING.
- #H.1271 (ANSON) FINANCE ACT. RATIFIED CH. 770.
- #H.1285 (BLADEN, PENDER, SAMPSON) DEER HUNTING-BLACK & SOUTH RIVERS. H-REPTD UNFAV.
- H.1295 (CLEVELAND) FALLSTON CHARTER. S-PASSED 3RD READING.
- #H.1297 (BUNCOMBE, HENDERSON) ASHEVILLE-HENDERSONVILLE AIRPORT. RATIFIED CH. 771.
- H.1302 (BUNCOMBE) BD. OF TAX SUPERVISION.(6/25) S-PASSED 3RD READING.
- H.1320 (CRAVEN) NEW BERN POLICE DEP'T. S-PASSED 3RD READING.
- H.1334 (DURHAM) DURHAM CITY COUNCIL MEETINGS. S-PASSED 3RD READING.
- H.1335 (CLEVELAND) EARL STATION CHARTER. S-PASSED 3RD READING.
- H.1338 (LINCOLN) INCORPORATING NEW TOWNS. S-PASSED 3RD READING.
- H.1344 (CHOWAN) EDENTON STREETS AND SIDEWALKS. S-PASSED 3RD READING.
- #H.1384 (BLADEN) NO FISHING LICENSE,WHITE LAKE. H-REPTD UNFAV.
- H.1390 (RICHMOND) AMENDING NORMAN'S CHARTER.(6/25) S-PASSED 3RD READING.
- H.1411 (DURHAM) PUBLIC FRANCHISES. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1419 (NEW HANOVER) TAX COLLECTION CONSOLIDATION. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1431 (WAKE) RALEIGH CIVIC CNTR. AUTH.. S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1436 (WAKE) AMEND RALEIGH CHARTER.(6/30, 6/30) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1442 (WAKE) CARY TOWN CHARTER.(6/30) S-REC FROM HOUSE; S-REF TO COM ON LOC GOVT.
- H.1443 (MECKLENBURG) FIREMEN'S RETIREMENT-CHARLOTTE. H-REPTD FAV.
- H.1455 (CLEVELAND) PATTERSON SPRINGS INCORPORATION. H-REPTD FAV.
- H.1460 (PAMLICO) MINNESOTT BEACH INCORPORATION. H-REPTD FAV.
- H.1463 (CRAVEN) COUNTY COMM'R ELECTIONS. H-REPTD FAV AS AMENDED.

H.1471 (ROBESON) CITY-COUNTY SCHOOL MERGER. S-PASSED 3RD READING.
H.1492 (MOORE) BD. EDUC. PROPERTY TRANSFER. H-REPTD FAV.
H.1498 (STANLY) SPELL IT STANLY. S-REC FROM HOUSE; S-REF TO COM ON
LOC GOVT.

Next Session of House: 10:00 a.m., Wednesday, July 7, 1971.

Next Session of Senate: 11:45 a.m., Wednesday, July 7, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 126

-1235-

WEDNESDAY, JULY 8, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 945 Family court services
Introducer: Britt

GS 7A
Sent to COURTS

"To provide family court services to any county with a population of 84,000 or more." Amends GS 7A-134 as title indicates (now, 85,000). Effective July 1, 1971.

S 948 (Joint Resolution) Hearings on selection of
judges
Introducers: Bailey and Harrington

GS 7A, STUDY
Sent to COURTS

"Directing the North Carolina Courts Commission to hold hearings in each judicial division of the State during the next biennium on the selection of judges of the General Court of Justice." As title indicates.

S 949 (Senate Resolution) Quazars are appreciated
Introducer: Knox

MISC RES
ADOPTED

"Honoring the Quazars." As title indicates, appreciating and admiring the Quazars for their performance at the 1971 Session's Senate Love Feast.

HOUSE

H 1516 Amending Ch. 606, 1971 SL
Introducer: M. Smith

GS 105
Sent to CALENDAR

"To correct a statutory reference in Chapter 606 of the Session Laws of 1971 and to clarify the language of that Act." Amends Ch. 606 (concerning property tax exemption of ministers' residences) to conform it with H 169 (Machinery Act of 1971) and makes clarifying language changes. Effective July 1, 1971.

LOCAL BILLS INTRODUCED

SENATE

S 946 County magistrates increase
Introducers: Taylor and Bailey

CASWELL
Sent to APPROPN

"To amend G.S. 7A-133 relating to the number of magistrates in Caswell County." Increases maximum number of magistrates permissible for Caswell County from 3 to 4.



S 947 Electing Hickory school board (Iden. H 1517) CATAWBA
Introducers: Combs and Joyner Sent to EDUCATN

"To provide for the election of members to the Board of Education of the Hickory Administrative School Unit." Sets out detailed boundary description of the school unit and the six wards composing it. Beginning in 1973, calls for election of 7-member board, one member to be elected from each ward and one member to be elected at large. Election to be held on same date as regular municipal election and terms of members to run for four years.

HOUSE

H 1517 Electing Hickory school board (Iden. S 947) CATAWBA
Introducers: Warlick and Beard Sent to CALENDAR

"To provide for the elction of members to the Board of Education of the Hickory administrative school unit." Identical to S 947, digested in the Senate section of today bulletin.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 277 Legis. retirement contributions (digested in Bulletin No. 42, p. 304)
Amendments adopted in the House 7/6/71: (1) amend GS 120-4.1(f) to clarify that the definition of a "full term" means any regular session of the General Assembly during the period from the time of convening until the time of adjournment sine die; and (2) add new GS 120-4.1(m) providing that the deduction set forth in subsection (1) above shall not be made if any member and any elected officer of the General Assembly currently in session notifies the Director of the Legis. Ret. Fund in writing on proper forms within 30 days after the ratification of the act that the member or officer does not desire to participate in the Fund and such decision is irrevocable; members elected after the 1971 session must make their decision to participate in the fund within 30 days after their election has been certified.

S 420 Oil pollution, utility sites (Iden. H 685; digested in Bulletin No. 64, p. 490; Committee Substitute digested in Bulletin No. 117, p. 1112; amendment digested in Bulletin No. 125, p. 1225)
Amendment adopted in House 7/7/71 adds GS 113-415 providing that nothing in Art. 27 of GS Ch. 113 ("Oil and Gas Conservation") is to affect the responsibilities vested in NC Bd. of Water and Air Resources by Art. 7 of GS Ch. 87 ("North Carolina Well Construction Act") or the responsibilities vested in NC Bd. of Health by Art. 13, GS Ch. 130 ("Water and Sewer Sanitation").

S 432 Water, air management, controls (Iden. H 720; digested in Bulletin No. 66, p. 509; Committee Substitute and Amendment digested in Bulletin No. 125, p. 1224)
Amendments adopted in Senate 7/7/71 make following changes: (1) Provide violation of provisions of act as to discharge of wastes in violation of water quality provisions of act or as to discharge of wastes or air contaminants to a waste disposal system or air cleaning device in excess of capacity of system must be willful to be subject to penalty provisions of act. (2) Deletes addition of new GS 75A-6.1 ("Adoption of federal standards and regulations for control of sewage from vessels"). (3) Add new GS 20-128.1 ("Control of visible emissions") forbidding any gasoline powered motor vehicle to emit visible air contaminants under any mode of operation for longer than 5 consecutive seconds and any diesel powered motor vehicle to emit for longer than 5 consecutive seconds under any mode of operation visible air contaminants which are equal to or darker than the shade or density designated as No. 1 on the Ringelmann chart or are equal to or darker than a shade

or density of 20% opacity (in either instance vehicle must be registered and operated in State to fall within provision of section). Permits person 30 days from charge of violation of section to make necessary repairs. Provides for enforcement of section by all law enforcement officers and by personnel of local and State air pollution control agencies. Makes violation of section punishable by fine up to \$100, imprisonment up to 60 days, or both.

S 764 Higher education fees (digested in Bulletin No. 106, p. 955)

Amendment adopted in Senate 7/7/71 requires each bd. of trustees to require each applicant for admission not enrolled for the regular academic year who is accepted by the institution to remit an advance deposit of not less than \$100 to be applied against the student's tuition and fees for the academic term for which he has been accepted; if deposit not paid within three weeks of mailing of acceptance by institution, applicant assumed to have withdrawn his application. Deposit requirement may be waived by institutions in case of hardship.

S 789 First mortgage lending limit (Iden. H 1210; digested in Bulletin No. 110, p. 1003)

Committee Substitute adopted in Senate 7/7/71 as follows: provides that on installment loans not exceeding \$50,000, secured by first mortgage or deed of trust on real property which is not principal residence of borrower, and repayable at least quarterly in substantially equal payments of principal and interest over a two to ten year period, maximum rate of interest is 10%; and further that the borrower may prepay all or part of the loan at any time without penalty (as introduced, bill allowed interest rate on loans similarly secured, up to \$300,000; there was no provision for substantially equal quarterly payments nor for prepayment). Further provides that installment loans up to \$7,500 (as introduced, \$10,000), secured by first mortgage or deed of trust on real property, may have interest up to 12%, upon written agreement signed by the parties. Adds requirement of substantially equal monthly payments over a one to ten year period (as introduced, only had a ten year limit on loan), and provision allowing prepayment without penalty.

S 881 Interest on agricultural loans (digested in Bulletin No. 118, p. 1131)

Committee Substitute adopted in Senate 7/7/71 rearranges provisions of bill and corrects citation to United States Code.

HOUSE BILLS

H 1135 No disclosure-estates' assets (digested in Bulletin No. 100, p. 892; Committee Substitute digested in Bulletin No. 112, p. 1040)

Amendment adopted in House 7/7/71 deletes reference to release of information by personal representative of estate of decedent.

H 100 Day-care facilities-2 (Iden. S 72; digested in Bulletin No. 12, p. 77; Committee Substitute digested in Bulletin No. 100, p. 895; Amendments digested in Bulletin No. 102, p. 914 and Bulletin No. 125, p. 1226)

Amendment adopted in Senate 7/7/71 requires each day care operator and staff member truly and honestly to show each child in his care true love, devotion, and tender care.

H 285 Citizenship restored (digested in Bulletin No. 30, p. 205; Committee Substitute digested in Bulletin No. 123, p. 1203)

Amendment adopted in House 7/7/71 requires compliance with one of following conditions before person convicted of crime who forfeits citizenship shall have rights restored: (1) Dep't of Corrections recommends restoration of citizenship; (2) two years have elapsed since release, including probation or parole, during which person has not been convicted of criminal offense; or (3) person receives unconditional pardon. Deletes from restoration procedure provisions that person not be under sentence for any criminal offense and that he desires to have his citizenship restored and substitutes therefor that he must have complied with GS 13-1 (three conditions described above).

H 885 Drunk drivers treated (digested in Bulletin No. 82, p. 676)

Committee Substitute adopted in House 7/7/71 makes following changes: (1) adds GS 20-139(a) and (b) (driving while intoxicated on driveway of public or private institutions) as statutes violation of which bill prescribes punishment; (2) adds for second and third violation requirement the three day and seven day jail sentences be served within 120 days of conviction; (3) provides that if sentence suspended upon defendant's committing himself to an institution for course of treatment that within 80 days of the judgment the defendant must furnish to the court proof of satisfactory completion of the treatment; (4) deletes proposed amendment to GS 20-179(b)(1) which provided that no limited driving privilege would be granted until the person convicted had enrolled in a driver improvement clinic; and (5) provides act shall expire on July 1, 1973.

H 888 Public school tenure system (digested in Bulletin No. 82, p. 677; Committee Substitute digested in Bulletin No. 116, p. 1102)

Amendments adopted in House 7/7/71 make following changes: (1) add to definition of "administrator" associate superintendent; (2) provide that teacher's personnel file shall be open to inspection by the teacher at all reasonable times; (3) provide that career teacher who has served as an administrator in a position for three successive years shall not be transferred to a lower-paying admin. position (bill provided only administrative position) except for the same reason that would justify his dismissal or demotion; (4) delete provision concerning sharing of costs of investigation into teacher's conduct equally by school system and teacher; and (5) make technical changes.

H 1028 Historic districts (digested in Bulletin No. 93, p. 799)

Amendment adopted in House 7/7/71 deletes proposed amendment to GS 160-178.5, which would have extended from 90 to 120 days the notice required of owner of building within historic district to Historic District Comm'n prior to destruction or removal of building.

H 1038 Nuisance declaratory judgment (digested in Bulletin No. 95, p. 822)

Amendment adopted in House 7/7/71 makes technical changes and makes act effective Jan. 1, 1972, rather than upon ratification.

H 1054 Historic property commissions (digested in Bulletin No. 95, p. 827)

Committee Substitute adopted in House 7/7/71 makes following changes: (1) legislative findings provision rewritten to delete material about enhancing property values, fostering civic beauty, and strengthening the local economy; (2) deletes from powers of Historic Properties Comm'ns power to prepare and recommend ordinances and regulations and statement that power to acquire property for purposes of act includes power to hold, manage, restore and improve the property, including power to convey or lease the property back to the original owner; (3) deletes power to notify owners of designation of property as historic property; (4) reduces required waiting period before historic property may be demolished or materially altered from 180 to 90 days; (5) deletes from acquisition authority provision that expenditures pursuant to act are declared to be necessary expenses and for a special purpose and giving approval to the levy of taxes for purposes of act; and (6) deletes from penalty section provision that each day's violation to be a separate offense.

- H 1058 Municipal Bd. of Control (digested in Bulletin No. 95, p. 819)
Amendments adopted in House 7/7/71: (1) permit incorporation of city or town within 3 miles of another city or town if Bd. finds proposed incorporation will not adversely affect the normal growth and development of the existing city or town; (2) provide one of 2 members of Bd. appointed by Governor to be an elected municipal and one an elected county official; and (3) make act effective upon ratification (originally, July 1, 1971).
- H 1063 Life insurance cancellation (digested in Bulletin No. 96, p. 840)
Amendment adopted in House 7/7/71: (1) changes right to cancel policy within 60 days to right to have policy cancelled "or converted to paid-up insurance"; and (2) provides act shall not apply to life insurance contracts carried by a husband or wife upon the life of the other spouse.
- H 1106 Unlawful school absences (digested in Bulletin No. 97, p. 857)
Technical amendment adopted in House 7/7/71.
- H 1134 Littering highways presumption (digested in Bulletin No. 99, p. 884)
Amendment adopted in House 7/7/71: (1) removes provision making owner liable if operator is unknown; (2) adds provision that act shall not apply to common carriers of passengers, taxicabs, public and private school or activity buses, or any other vehicle of over nine passenger capacity operated for a non-profit organization; (3) lowers fine from \$250 to \$200; (4) makes act effective Jan. 1, 1972, rather than upon ratification.
- H 1158 Creating Growth Patterns Comm'n (digested in Bulletin No. 102, p. 910)
Amendment adopted in House 7/7/71 increases number of members of Comm'n to be appointed by Speaker of House from two to three.
- H 1165 Municipal auth., grants & loans (digested in Bulletin No. 102, p. 911)
Amendment adopted in House 7/7/71 extends authority granted in bill to counties as well as municipalities.
- H 1167 Changing formal bid requirements (digested in Bulletin No. 102, p. 911)
Amendment adopted in House 7/7/71 changes from \$5,000 to \$2,500 the maximum value of supplies, equipment, etc. that may be purchased without formal bid (GS 143-129 now requires formal bid for any purchase in excess of \$2,000).
- H 1175 Highway Patrol award (digested in Bulletin No. 103, p. 923)
Amendment adopted in House 7/7/71 deletes requirement that proof of performance of service for which award to be given be "incontestable."
- H 1378 Taxation of accts. receivable (digested in Bulletin No. 115, p. 1083)
Committee Substitute adopted 7/7/71 rewrites new paragraph added to GS 105-201 to read as follows: "Indebtedness of securities brokers directly incurred in connection with the purchase or sale of stocks, bonds or other securities from which such brokers derive accounts receivable taxable under this article may be deducted from the total value of such accounts receivable."
- H 1402 Sales tax exempt-respirators (digested in Bulletin No. 116, p. 1098)
Committee Substitute adopted 7/7/71 adds provision pulmonary respirators sold on prescription of physician are exempt from sales and use tax whether worn on the person or not.

H 1460 (Pamlico) Minnesott Beach incorporation (digested in Bulletin No. 120,
p. 1161)

Amendment adopted in House 7/7/71 provides one of initial members of town
bd. to be John Harper rather than John Hooper.

The President of the Senate on July 7 named the following members to the Senate Calendar
Committee: Folger, Chairman; Coggins and Harrington, Vice Chairmen; Bailey, Baugh,
Bingham, Britt, Church, Crawford, Futtrell, Horton, Jones, Larkins, McLendon, Mills,
Reed, Scott, Taylor, Warren and Wood.

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 140 RIGHT-OF-WAY SIGNS.(7/05) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
 S. 204 WILDLIFE PROTECTOR RETIREMENT.(4/20) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
 S. 234 SOUTHERN LATERAL SEAWARD BNDRY.(7/06) S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.
 S. 277 LEGIS. RETIREMENT CONTRIBUTION.(5/19, 7/02, 7/06) S-REC TO CONCUR IN H AMEND; S-FAILED CONCUR IN H AMEND; S-CONF COM APPOINTED.
 #S. 324 TAX-SHELTERED ANNUITIES-2.(5/11) RATIFIED CH. 792.
 S. 377 SERVICE OF PROCESS-ACCEPTANCE.(7/01, 7/02) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
 S. 420 OIL POLLUTION-UTILITY SITES.(6/24, 7/06, 7/07) S-REC TO CONCUR IN H AMEND; H-RECALLED FROM SENATE; H-REC FROM SENATE; H-RECONSIDERED 3RD READING; H-AMENDMENT RECONSIDERED; H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING.
 S. 432 WATER-AIR MANAGEMENT,CONTROLS.(6/29, 7/05, 7/07) S-COM AMENDS ADOPTED; S-PASSED 2ND READING.
 #S. 490 ABOLISHING GOV'TAL. IMMUNITY.(6/15, 6/25) S-TABLED.
 S. 539 CERTAIN STATE AGENCIES ABOLISHED.(6/25) H-REC FROM SENATE; H-REF TO COM ON ST GOVT.
 S. 604 PUNISHMENT-DRIVING UNDER INFLUENCE. S-PASSED 2ND & 3RD READING.
 S. 641 BALD HEAD DEVELOPMENT.(7/01, 7/02) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
 #S. 643 MILK COMM'N LAW REWRITE.(6/28) RATIFIED CH. 799.
 S. 648 TRAFFIC RULES-COMMUNITY COLLEGES. H-PASSED 2ND & 3RD READING.
 S. 664 ABANDONMENT OF ROADS.(6/15, 7/05) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
 S. 733 WORKMEN'S COMP.-EMPLOYEE DEATH-3.(7/05) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
 S. 734 REVISE PRIVATE DETECTIVE LAW.(7/02) H-RECALLED FROM SENATE.
 S. 743 CREATING METRO CITY WATER DISTRICTS.(7/05, 7/06) H-PASSED 3RD READING.
 S. 764 HIGHER EDUCATION FEES.(7/07) S-FLOOR AMEND ADOPTED; S-PASSED 2ND READING.
 S. 789 FIRST MORTGAGE LENDING LIMIT.(7/07) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.

- S. 790 SCHOOL COUNSELOR-PRIVILEGED COMM.. H-REC FROM SENATE; H-PASSED 2ND READING.
- S. 799 CLASSIF. OF RESIDENCES-PROP. TAX. S-PLACED CAL FOR JULY 8.
- S. 848 REGULATING AUTO INSURANCE RATES-4.(7/05) H-REC FROM SENATE.
- S. 859 AMEND CH. 508,1971 SL.(7/05) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 866 CANNED DOGFOOD LAW.(7/05) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 881 INTEREST ON AGRICULTURAL LOANS.(7/07) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
- S. 908 DRAINAGE DIST. TITLE ACQUISITION. S-REPTD FAV.
- S. 925 (J.RES.) TAX STUDY COMM'N-DUTY REDEFINED. S-RECALLED FROM COM; S-RE-REF COM ON GASSEMB.
- S. 926 PERMANENT TAX STUDY COMM'N CREATED. S-RECALLED FROM COM; S-RE-REF COM ON GASSEMB.
- S. 932 SUBSID. & AFFIL. CORP.-TAXES. S-REPTD FAV.
- S. 939 TAX STUDY COMM'N-DIRECTIVE. S-REPTD FAV.
- #S. 949 QUAZARS ARE APPRECIATED. S-ADOPTED.

- H. 100 DAY-CARE FACILITIES-2.(6/01, 6/03, 7/06, 7/07) S-FLOOR AMEND FAILED; S-FLOOR AMEND ADOPTED; S-PASSED 3RD READING.
- H. 119 NEW INDUSTRY ENVIRONMENTAL IMPACT.(6/22) S-REPTD FAV AS AMENDED.
- H. 156 RETAIL INSTALLMENT SALES ACT.(5/27, 6/01, 7/05) H-REC TO CONCUR S AMENDS; H-CONCURRED IN S AMENDS.
- H. 169 MACHINERY ACT OF 1971.(6/16, 6/22, 6/23, 7/01, 7/02, 7/02) H-PASSED 3RD READING.
- H. 285 CITIZENSHIP RESTORED.(7/02, 7/07) H-COM SUBSTITUTE AMENDED; H-PASSED 2ND & 3RD READING.
- H. 418 AERONAUTICS REVISION.(6/04) S-RE-REF COM ON JUDIC 2.
- #H. 528 DRIVER POINT REDUCTION-CLINIC.(5/12, 6/09) RATIFIED CH. 793.
- #H. 610 LOCAL GOVERNMENT FINANCE ACT.(6/15, 6/21) RATIFIED CH. 780.
- H. 685 OIL POLLUTION-UTILITY SITES.(6/24) H-POSTPONED TO JULY 8.
- H. 700 TORT CLAIMS-LOCAL LIABILITY.(5/25, 7/06) H-POSTPONED TO JULY 8.
- H. 737 NC PESTICIDE LAW OF 1971.(6/17) H-POSTPONED TO JULY 9.
- H. 763 CREDIT FOR PREPAYMENT-TORTS.(6/30) H-PASSED 2ND & 3RD READING.
- H. 776 REMOVAL OF GRAVES.(5/05, 5/18, 6/16) H-PASSED 2ND & 3RD READING.
- H. 885 DRUNK DRIVERS TREATED.(7/07) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 888 PUBLIC SCHOOL TENURE SYSTEM.(6/23, 6/23, 7/07, 7/07) H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING; H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING.
- H. 902 AFFIDAVITS OF CHEMISTS. H-PASSED 2ND & 3RD READING.
- H. 935 PRIMARY CANDIDATE QUALIFICATIONS.(5/28, 6/23) H-PASSED 2ND & 3RD READING.
- H. 948 HOSPITAL AUTHORITIES LAW REWRITE.(6/10, 6/17, 7/02, 7/05) H-PASSED 2ND & 3RD READING.
- H. 960 BARBER'S FEES. S-REPTD FAV.

- H. 964 TEACHERS' BARGAINING UNITS. H-POSTPONED TO JULY 12.
H. 979 COMPARATIVE NEGLIGENCE. H-POSTPONED TO JULY 8.
H. 988 CREATING LEGISLATIVE ETHICS BOARD. H-PASSED 2ND & 3RD READING.
#H.1002 TRAFFIC RULES-COMMUNITY COLLEGES. H-POSTPONED INDEF.
#H.1007 CAMPUS VEHICLE REGISTRATION. RATIFIED CH. 794.
#H.1016 TEACHER LICENSING & PRACTICE ACT. H-POSTPONED INDEF.
H.1023 INJUNCTION CLARIFICATION. H-PASSED 2ND READING.
#H.1025 USURY, CREDIT CARDS. H-REPTD UNFAV.
H.1028 HISTORIC DISTRICTS.(7/07) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
H.1034 HUSBAND AND WIFE CONTRACTS.(6/24) H-PASSED 2ND READING.
H.1038 NUISANCE DECLARATORY JUDGMENT.(7/07) H-COM AMEND ADOPTED; H-PASSED 2ND READING.
H.1044 HUSBAND-WIFE TRESPASS TESTIMONY.(6/18) H-PASSED 2ND & 3RD READING.
H.1046 MINORS WORKING WHERE BEER SERVED. H-PASSED 2ND READING.
#H.1051 CHARGE ACCOUNT CHARGES. H-REPTD UNFAV.
H.1054 HISTORIC PROPERTY COMMISSIONS.(7/07) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
H.1058 MUNICIPAL BD. OF CONTROL.(7/07, 7/07) H-COM AMEND ADOPTED; H-FLOOR AMENDS ADOPTED; H-PASSED 2ND & 3RD READING.
#H.1063 LIFE INSURANCE CANCELLATION.(7/07) H-COM AMEND ADOPTED; H-POSTPONED INDEF.
H.1082 INVESTMENT COMPANIES-TAXATION. S-REPTD FAV.
H.1090 GROUNDS FOR DIVORCE-INSANITY.(6/29) H-PASSED 2ND & 3RD READING.
H.1106 UNLAWFUL SCHOOL ABSENCES.(7/07) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
H.1112 LIMITED DRIVING PRIVILEGE.(6/18) H-RE-REF COM ON CALENDAR.
H.1117 SECOND MORTGAGE CHARGES.(7/01, 7/01) H-PASSED 2ND READING.
H.1118 SAVINGS & LOAN LOSS RESERVES. H-PASSED 2ND & 3RD READING.
H.1127 PUBLIC SOLICITATION ACT.(6/23, 6/23) H-POSTPONED TO JULY 8.
H.1129 UNIFORM GENERAL ELECTION BALLOTS.(6/24, 6/24) H-PASSED 2ND & 3RD READING.
#H.1133 COGS TAX REFUNDS. H-REPTD UNFAV.
#H.1134 LITTERING HIGHWAYS PRESUMPTION.(7/07) H-COM AMEND ADOPTED; H-TABLED.
H.1135 NO DISCLOSURE-ESTATES' ASSETS.(6/17, 7/07) H-COM SUBSTITUTE AMENDED; H-RE-REF COM ON CALENDAR.
H.1158 (J.RES.) CREATING GROWTH PATTERNS COMM'N.(7/07) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
H.1165 MUNICIPAL AUTH.-GRANTS & LOANS.(7/07) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
H.1167 CHANGING FORMAL BID REQUIREMENTS.(7/07) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
H.1169 REPEALING GOV'T VEHICLE EXEMPTION. H-PASSED 2ND & 3RD READING.
H.1172 EDUCATION EXPENSE GRANTS. H-COM AMEND ADOPTED; H-AMENDMENT RECONSIDERED; H-POSTPONED TO JULY 9.

- H.1175 HIGHWAY PATROL AWARD.(7/07) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H.1194 LABELING APPLES.(7/01) S-REPTD FAV.
- H.1211 INVESTMENT COMPANY TAXES.(7/01) S-REPTD FAV.
- #H.1221 6-12 MEMBER CIVIL JURY-CONST. AMD.. S-FAILED 2ND READING.
- H.1230 INTERSTATE ENVIRONMENTAL COMPACT.(6/30) S-REPTD FAV.
- H.1262 INSUR. PREMIUM TAX EXEMPTION. H-PLACED ON CAL FOR JULY 8.
- H.1292 HAM VEHICLE LICENSES.(7/05) S-PASSED 3RD READING.
- #H.1318 LICENSING LIVESTOCK DEALERS-2. H-POSTPONED INDEF.
- H.1330 HOMESTEAD EXEMPTION FEES. S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1331 AMEND CHAPTER 423,1971 SL. S-REPTD FAV.
- H.1339 (J.RES.) ROLE OF NURSES STUDY COMM'N. S-REPTD FAV.
- H.1373 AMENDING GARNISHMENT LAW. H-RECALLED FROM COM; H-RE-REF COM ON CALENDAR.
- H.1378 TAXATION OF ACCTS. RECEIVABLE.(7/07) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H.1386 LICENSE FEE,PRACTIC. PSYCHOLOGISTS. S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1402 SALES TAX EXEMP.-RESPIRATORS.(7/07) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H.1414 ZOO CONSTRUCTION BONDS. H-REPTD FAV.
- H.1429 (J.RES.) LRC STUDY OF TEACHER LICENSING. H-PASSED 2ND & 3RD READING.
- H.1439 CITY AUTO LICENSE TAX INCREASE-2. H-REPTD FAV.
- H.1472 CAPE FEAR RIVER PILOT FEES-2. H-PASSED 2ND READING.

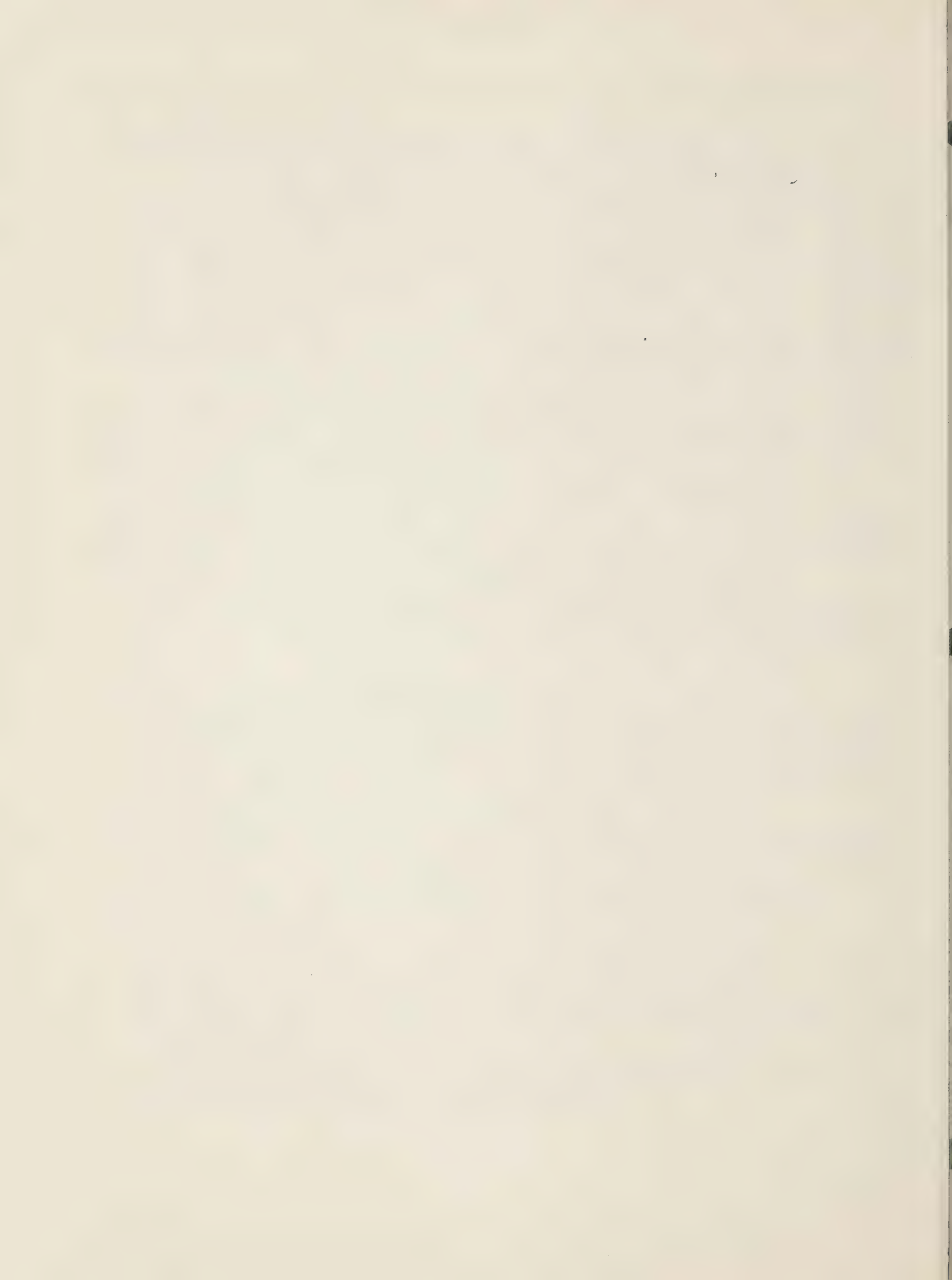
LOCAL BILLS

- S. 749 (HALIFAX) ROANOKE RAPIDS CITY LIMITS.(6/16, 6/21, 7/05) S-REC TO CONCUR IN H AMEND.
- S. 843 (CALDWELL) LENOIR ELECTIONS.(6/30) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 847 (HALIFAX) ROANOKE RAPIDS CITY LIMITS.(7/05) S-REC TO CONCUR IN H AMEND.
- S. 882 (SAMPSON) DEER KILLING FROM BOATS. S-REPTD FAV.
- S. 884 (BRUNSWICK) FOX HUNTING. S-REPTD FAV.
- S. 901 (COLUMBUS) CHADBURN BEER SALES. S-PASSED 2ND & 3RD READING.
- S. 927 (FORSYTH) PURCHASE PREFAB SCHOOLS-2.(7/05) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 930 (HALIFAX, WARREN) LITTLETON TAX LISTING. S-PASSED 3RD READING.
- S. 935 (BLADEN) ELIZABETHTOWN ABC VOTE. S-PASSED 2ND READING.
- #H. 970 (NASH) SALES AND USE TAXES.(6/18) RATIFIED CH. 781.
- #H. 971 (EDGEcombe) SALES AND USE TAXES.(6/18) RATIFIED CH. 782.
- #H.1161 (MECKLENBURG) CHARLOTTE AIR RIGHTS OVER STREETS.(7/05) RATIFIED CH. 783.
- H.1251 (EDGEcombe) PRINCEVILLE ANNEXATION.(6/18, 7/05) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- #H.1295 (CLEVELAND) FALLSTON CHARTER. RATIFIED CH. 784.

- H.1302 (BUNCOMBE) BD. OF TAX SUPERVISION.(6/25) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- #H.1303 (DAVIDSON) LEXINGTON-RELEASE OF EASEMENT. RATIFIED CH. 772.
- H.1307 (WARREN) SCHL BD-CTY.COMM'RS-ELECTION DIST.(7/05) S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- #H.1320 (CRAVEN) NEW BERN POLICE DEP'T. RATIFIED CH. 785.
- #H.1321 (PERQUIMANS) WINFALL COMM'RS. RATIFIED CH. 773.
- #H.1334 (DURHAM) DURHAM CITY COUNCIL MEETINGS. RATIFIED CH. 786.
- #H.1335 (CLEVELAND) EARL STATION CHARTER. RATIFIED CH. 787.
- #H.1338 (LINCOLN) INCORPORATING NEW TOWNS. RATIFIED CH. 788.
- #H.1344 (CHOWAN) EDENTON STREETS AND SIDEWALKS. RATIFIED CH. 789.
- #H.1358 (CLEVELAND) CASAR LIVES AGAIN. RATIFIED CH. 775.
- #H.1361 (MOORE) AMEND CHAPTER 279,1971 SL. RATIFIED CH. 774.
- #H.1390 (RICHMOND) AMENDING NORMAN'S CHARTER.(6/25) RATIFIED CH. 790.
- #H.1400 (NASH) INDUST. DEV. FUNDS. RATIFIED CH. 776.
- #H.1405 (NEW HANOVER) COUNTY ACCOUNTANT. RATIFIED CH. 777.
- #H.1413 (RANDOLPH) RANDLEMAN-CONVEYANCE. RATIFIED CH. 778.
- H.1421 (MECKLENBURG) CHARLOTTE CHARTER-RETIREE INSUR..(7/02) S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1443 (MECKLENBURG) FIREMEN'S RETIREMENT-CHARLOTTE. H-PASSED 2ND & 3RD READING.
- H.1455 (CLEVELAND) PATTERSON SPRINGS INCORPORATION. H-PASSED 2ND READING.
- H.1460 (PAMLICO) MINNESOTT BEACH INCORPORATION.(7/07) H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING.
- H.1463 (CRAVEN) COUNTY COMM'R ELECTIONS. H-POSTPONED TO JULY 8.
- #H.1471 (ROBESON) CITY-COUNTY SCHOOL MERGER. RATIFIED CH. 791.
- H.1492 (MOORE) BD. EDUC. PROPERTY TRANSFER. H-PASSED 2ND & 3RD READING.

Next Session of House: 10:00 a.m., Thursday, July 8, 1971.

Next Session of Senate: 11:45 a.m., Thursday, July 8, 1971.



DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

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BULLETIN NO. 127

-1247-

THURSDAY, JULY 8, 1971

PUBLIC BILLS INTRODUCED

SENATE

- S 951 (Joint Resolution) Memorializing James A. Bridger MISC RES
Introducer: Frink Sent to CALENDAR
"Memorializing the late James Albert Bridger of Bladenboro." As title indicates.
- S 952 (Joint Resolution) Memorializing Dr. Dewey MISC RES
H. Bridger Sent to CALENDAR
Introducer: Frink
"Memorializing the late Dr. Dewey H. Bridger of Bladen County." As title indicates.
- S 953 Funding more driver education APPROPRIATION
Introducer: Allen Sent to APPROPN
"To provide additional appropriations to the Department of Motor Vehicles for additional driver education representatives." As title indicates, appropriating from Highway Fund to the Dep't of Motor Vehicles \$65,471 in 1971-72 and \$68,371 in 1972-73, in order to provide five additional driver ed. representatives. Provides expenditure of funds subject to approval of Dir. of Budget on as-needed basis to be determined by increase in mass transportation of school children.
- S 955 (Joint Resolution) Judges survivor and STUDY, GS 7A
ret. benefits Sent to COURTS
Introducers: Bailey and Milgrom
"Directing the North Carolina Courts Commission to study the matter of survivor benefits for justices and judges of the appellate and superior court divisions and retirement benefits for judges of the district court division of the General Court of Justice and to make recommendations thereon to the 1973 General Assembly." As title indicates.
- S 956 (Joint Resolution) Memorializing MISC RES
Robert N. Simms, Jr. Sent to COURTS
Introducers: Bailey and Coggins
"Honoring the life and memory of Robert N. Simms, Jr., former member of the General Assembly." As title indicates.



HOUSE

H 1518 (Joint Resolution) Memorializing Carlyle
Introducers: Davis and others

MISC RES
Passed three readings and
sent to Senate

"Honoring the life and memory of Irving Edward Carlyle, former member of the House of Representatives and Senate from Forsyth." As title indicates.

H 1519 Clerks sup. ct. & magistrates-pay
Introducer: Culpepper

GS 7A
Sent to APPROPN

"To revise G.S. 7A-101 concerning the salaries of Clerks of Superior Court and G.S. 7A-172 concerning salaries of magistrates." Rewrites GS 7A-101(a)--salary schedule for CSCs--as follows (figures in parentheses indicate existing schedule):

Population

Salary

Less than 10,000	\$9,000 (\$7,000)
10,000 to 19,999	10,000 (7,650)
20,000 to 29,999	11,000 (10,200)
30,000 to 39,999	12,000 (10,200)
40,000 to 49,999	13,000 (10,200)
50,000 to 74,999	14,000 (11,500)
75,000 to 99,999	15,000 (11,500)
100,000 to 124,999	16,000 (13,200)
125,000 to 149,999	17,000 (13,200)
150,000 to 174,999	18,000 (15,500)
175,000 to 199,999	19,000 (15,500)
200,000 to 249,999	20,000 (18,000)
250,000 and above	21,000 (18,000)

Amends GS 7A-172 to revise maximum salary for magistrates from \$7,200 to \$7,944. Effective July 1, 1971.

H 1520 Family court services (Iden. S 945)
Introducer: Speros

GS 7A
Passed three readings and
sent to Senate

"To provide family court services to any county with a population of 84,000 or more." Identical with S 945, digested in Bulletin No. 126, p. 1235.

H 1521 Amending Ch. 673, 1971 SL
Introducer: Mauney

GS 96
Sent to CALENDAR

"To amend Chapter 673 of the 1971 Session Laws of North Carolina relating to the Employment Security Law." Amends portion of cited act listing exemptions from term "employment" as used in act by deleting "after July, 1957" limitation from section exempting insurance or securities brokers or salesmen.

H 1523 Cleaning up poultry law
Introducer: Auman

GS 106
Sent to CALENDAR

"To repeal the replaced poultry inspection law." As title indicates, repeals GS 106-549.49 through GS 106-549.69. Effective 30 days after ratification of Ch. 677, 1971 SL.

H 1524 (House Resolution) Tobacco Advis. Bd.-LRC study STUDY
Introducer: Green Sent to WILDLIFE

"Requesting the Legislative Research Commission to study the advisability of creating a Tobacco Advisory Board to provide assistance to the tobacco industry in North Carolina." As title indicates; report of findings and recommendations to be made to 1973 General Assembly.

H 1525 Educ. Opportunities Info. Center APPROPRIATION, GS 116
Introducer: Fenner Sent to APPROPRN

"To appropriate funds to improve higher education and establish the Educational Opportunities Information Center." Appropriates \$50,000 from General Fund to Bd. of Higher Ed. for 1971-73 to establish Educational Opportunities Information Center to provide information to prospective students concerning both public and private colleges and universities. Amends GS 116-143 to direct bds. of trustees of institutions to require advance deposit of not less than \$100 of applicants, to be applied to tuition and fees, sum to be paid within 3 weeks of mailing of notice of acceptance. Failure to pay deposit taken as notice of withdrawal of application. Requires \$50 deposit of returning students, and nonrefundable application fee of \$10 with each application for admission. Deposits may be waived in cases of hardship. Effective Oct. 1, 1971.

H 1526 Bank personal property exemption GS 105
Introducer: Jemison Sent to CALENDAR

"To clarify and limit the exemption of bank personal property from ad valorem taxation." Adds new GS 105-280(19) as it appears in Sec. 1 of H 169 to add to personal property exempt from ad valorem taxation, "personal property owned and used directly by banks and banking associations for banking purposes only . . ." notwithstanding excise taxes provided for by GS 105-228.13. Effective January 1, 1972.

LOCAL BILLS INTRODUCED

SENATE

S 950 School bond election WAYNE
Introducer: Strickland Sent to CALENDAR

"To authorize the issuance of school building bonds in behalf of school districts in Wayne County and the levy of taxes within such districts for the payment of such bonds." Provides for petition from 10% of voters in area praying creation of new school district, for advisory hearing after notice of same, and for decision of bd. of county comm'rs as to establishment of district and the territory it will encompass. Provides for special election on question of issuing bonds to purchase and equip school buildings after notice of same and new registration; for issuance of bonds as needed (but not after June 30, 1976) should majority vote yes; and for bd. of county comm'rs to levy special additional ad valorem tax to pay principal and interest on bonds as they come due.

S 954 Wake/Raleigh bd. educ. merger vote (Iden. H 1522) WAKE
Introducers: Bailey and Coggins Sent to CALENDAR

"To provide for a merger of the Wake and Raleigh Boards of Education by a vote of the people and to change the membership of the Wake County Board of Education." Identical to H 1522, digested in the House section of today's bulletin.

H 1522 Wake/Raleigh bd. ~~educ.~~ merger vote (Iden. S 954) WAKE
 Introducers: R. Farmer, S. Johnson, Twiggs, and Sent to CALENDAR
 Wynne

"To provide for a merger of the Wake and Raleigh boards of education by a vote of the people and to change the membership of the Wake County Board of Education."
 Directs appointment of nine member Wake Bd. of Educ. from districts. Successors to be elected on nonpartisan basis at 1972 primary, and every four years thereafter, for 4-yr. terms. Vacancies to be filled by Wake Co. Comm'rs by resident from district of member causing vacancy. These provisions effective upon ratification.

Election on merger of Wake and Raleigh boards of educ. to be at least six months prior to Sept. 1, 1973. If vote favorable, school units to merge on Sept. 1, 1973. New board to be elected at special election held after merger vote but prior to Sept. 1, 1973. Five members to be elected from jurisdiction of present Wake bd.; four from Raleigh bd. jurisdiction. Election to be county-wide and nonpartisan for six-year staggered terms at time of primary. Vacancies filled by remainder of board in accordance with GS 115-24, but from Raleigh or non-Raleigh townships as appropriate to continue district requirement. Present Wake and Raleigh boards to appoint committee from respective boards to coordinate merger. This committee to prepare 1973-74 budget. Provisions concerning merger to be effective Sept. 1, 1973, but only in event merger is approved.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 502 Amending Anatomical Gift Act (digested in Bulletin No. 76, p. 609)
 Amendment adopted in House 7/8/71 deletes provision authorizing enucleation of the eyes by a certified embalmer when permission has been granted by the next of kin, which was added to bill by amendment adopted in Senate 6/22/71.

S 579 Transfer of recorded sounds (Iden. H 928; digested in Bulletin No. 85, p. 710)
 Amendments adopted in House 7/8/71: (1) add cable television transmissions to exemptions from act; (2) provide if sound consists of musical performances, any person may transfer such sounds or sell articles on which such sounds are so transferred if he (a) complies with Federal Copyright Act, (b) submits to owner of performance offer of 10¢ per article onto which performance transferred, and (c) pays such owner monthly royalties; and (3) change effective date of act from upon ratification to Oct. 1, 1971.

S 706 DMV inspection fee increase (digested in Bulletin No. 96, p. 840)
 Committee Substitute adopted 7/8/71 increases motor vehicle inspection fee from \$2.00 to \$2.25 (originally, act merely provided for 5¢ increase (25¢ to 30¢) in portion of \$2.00 fee going to DMV).

S 724 Sheriffs' legal defense (digested in Bulletin No. 99, p. 884)
 Amendments adopted in Senate 7/8/71 make following changes: (1) delete provision requiring counties to provide legal services when sheriff or deputies are defendants in civil suits; (2) delete provision requiring counties to secure indemnity bonds for sheriffs; and (3) make technical change.

S 734 Revise private detective law (digested in Bulletin No. 101, p. 901; Amendments digested in Bulletin No. 123, p. 1203 and Bulletin No. 124, p. 1213)
 Amendment adopted in House 7/8/71 changes effective date of act from upon ratification to Oct. 1, 1971.

- S 790 School counselor-privileged comm. (Iden. H 1263, digested in Bulletin No. 110, p. 1005)
Amendment adopted in House 7/8/71 adds provision that if State Board of Education finds that a school counselor has improperly disclosed information conveyed to him by a student in a counselling situation upon the express condition that such information is to be held in confidence, then Bd. shall revoke the certification of such person as a counselor.
- S 855 Detention of mentally ill (digested in Bulletin No. 116, p. 1092)
Amendment adopted in Senate 7/8/71: (1) provides Dep't of Mental Health shall make available to Clerk of Court such medical services and transportation necessary to effect the detention deemed necessary, and (2) changes effective date of act from upon ratification to July 1, 1972.
- S 887 Review of probation (digested in Bulletin No. 118, p. 1132)
Amendment adopted in Senate 7/8/71 clarifies that the release from probation is to occur upon termination of the period of probation or at the next term of court.
- S 905 Pyramid and chain schemes (Iden. H 1395; digested in Bulletin No. 116, p. 1097)
Amendment adopted in Senate 7/8/71 provides civil penalties assessed shall go to General Fund of State (originally, to State).
- S 918 Amend Chapter 512, 1971 SL (digested in Bulletin No. 121, p. 1173)
Amendment adopted in Senate 7/8/71 corrects erroneous reference to 1969 Session Laws to read "1971."
- S 931 Vehicle removal-service stations-2 (digested in Bulletin No. 123, p. 1199)
Amendment adopted in Senate 7/8/71 makes technical changes and clarifies that vehicle is subject to storage lien.

HOUSE BILLS

- H 59 Uniform municipal election laws (digested in Bulletin No. 7, p. 41; Committee Substitute #1 digested in Bulletin No. 113, p. 1035; Committee Substitute #2 digested in Bulletin No. 115, p. 1085)
Amendment adopted in Senate 7/8/71 makes technical changes.
- H 119 New industry environmental impact (digested in Bulletin No. 14, p. 90; Committee Substitute digested in Bulletin No. 115, p. 1085)
Amendment adopted in Senate 7/8/71 requires Dep't of Conservation and Development to make evaluations on State's natural and economic environment "in conjunction with other state agencies having environmental responsibilities."
- H 210 Slow vehicle reflectors (digested in Bulletin No. 23, p. 152)
Amendment adopted in Senate 7/8/71 makes following changes: (1) provides reflector device must comply with current standards and specifications of DMV Comm'r; (2) provides device to be mounted not less than 2, rather than 3, feet off the ground; and (3) deletes provision that no person shall be convicted under act if he demonstrates to CSC that it was his first offense, and substitutes therefor provision that no person shall be convicted if he presents affidavit to CSC or solicitor that within 48 hours after his arrest, the vehicle was made to conform to requirements of act.

H 245 Human tissue sale (digested in Bulletin No. 26, p. 174: Committee Substitute digested in Bulletin No. 75, p. 604)

Amendment adopted in Senate 7/8/71 strikes liability provision for institution failing to exercise due care and substitutes therefor a provision that institutions shall not be liable on express or implied warranty but shall be liable in tort for negligence.

H 392 Arson law changes (digested in Bulletin No. 40, p. 286; Committee Substitute digested in Bulletin No. 95, p. 832; amendment digested in Bulletin No. 96, p. 847)

Amendment adopted in Senate 7/8/71 increases from 2 to 30 years (was, 4-months to 10 years) penalty for burning certain bridges and buildings; adds proviso that criminal penalty for burning boats and barges does apply even when owner gives consent to burning if consent is for unlawful or fraudulent purpose; and adds "attempt to burn" to criminal prohibition against burning "other" buildings not covered by article.

H 649 Environmental Policy Act (Iden. S 394; digested in Bulletin No. 62, p. 467; House Committee Substitute digested in Bulletin No. 98, p. 876)

Committee Substitute adopted in Senate 7/8/71 makes following changes from House Committee Substitute: (1) deletes from bill direction to Governor to prepare statewide comprehensive environmental plan and other provisions concerning such plan; (2) deletes requirement that each state agency, when requested by the Governor, is to develop standards and procedures necessary to protect environmental quality, with copy to Gov. and other agencies; and requirement, again on request of Governor, that each state agency give appropriate consideration to environmental values, etc. in any proposal or action; (3) requires environmental statement on all legislative proposals by state agencies (rather than just on request of Gov.) and requires that the statement be available to local governments and institutions upon request (as well as "public"); (4) deletes requirement that state agencies make available to local governments, institutions and individuals advice and information useful to helping environment; (5) adds provision that Gov. and state agencies may call upon institutions of higher ed. of State for aid in developing plans and procedures under act and in meeting requirements of act; (6) directs Gov. to report to Legis. Research Comm'n, not later than Aug. 1, 1972, concerning the experience with this act and recommendations, if any, for amendment or extension; and (7) changes effective date to Oct. 1, 1971 (from July 1, 1971) and provides that it is to expire Sept. 1, 1973.

H 885 Drunk drivers treated (digested in Bulletin No. 82, p. 676; Committee Substitute digested in Bulletin No. 126, p. 1238)

Floor amendment adopted in House 7/8/71 provides act not to apply to any case pending in state court at time of ratification in which defendant is charged with driving under the influence.

H 926 Barber law-penalty change (digested in Bulletin No. 85, p. 710)

Amendment adopted in Senate 7/8/71 deletes provision making violations of act cumulative, to be considered separate acts subject to the punishment provided in the act for each separate violation.

H 933 Grantor omitted - deeds (digested in Bulletin No. 86, p. 723; Amendment digested in Bulletin No. 99, p. 885)

Amendment adopted in Senate 7/8/71 states that deeds covered by act are conclusively presumed (previously, these deeds had been declared) to have been duly proved, probated and recorded; and provides that the presumption is not to affect litigation instituted within 21 years after the date of registration of the deed in question.

H 979 Comparative negligence (Iden. S 635; digested in Bulletin No. 90, p. 763)
Amendment adopted in House 7/8/71 makes technical changes and changes effective date from ratification to July 1, 1973.

H 1076 Creating Drug Authority (digested in Bulletin No. 96, p. 842)
Second Senate Committee Substitute adopted 7/8/71 abandons concept of 1st Senate Committee Substitute adopted 6/22/71 of an Interagency Drug Advisory Council and returns to concept of original bill of a Drug Authority with following changes: (1) membership of Authority to consist of 13 rather than 11 members, including Director of Vocational Rehabilitation Services and a member of Bd. of Medical Examiners; (2) following duties given to Authority rather than to Director: (a) coordinate efforts to control drug abuse and treat drug users, (b) review fund requests, (c) coordinate State's efforts with those of local governments, (d) assist private agencies, (e) plan and supervise public information programs, and (f) perform related duties; (3) Director of Authority given duties of discharging all legal responsibilities of Authority, empowered to employ staff, and required to make annual report to Governor.

H 1262 Insur. premium tax exemptions (digested in Bulletin No. 110, p. 1005)
Amendment adopted in House 7/8/71 changes effective date of act (and thus beginning date of exemption) from ratification to Jan. 1, 1973.

H 1391 (Scotland, Richmond) Fire service liens (digested in Bulletin No. 116, p. 1100)
Committee Substitute adopted in Senate 7/8/71 substantially rewrites bill. Rewrites Chapter 855 of 1969 Session Laws as follows: deletes all reference to any person legally responsible for the support of a person receiving fire services; limits lien created by act to the real property receiving the fire service; adds requirement that provider of fire service, before instituting attachment and garnishment, or filing any lien, must notify recipient of such services by certified mail of intention to institute or file; if written notice of objection is received by provider of service within 30 days, it may take attachment or garnishment action, or file lien, only after obtaining judgment against recipient for amount of charges. Provides that act as rewritten to apply to Scotland County and to Hamlet in Richmond County, and Chapter 855 as enacted in 1969 to apply to Richmond County and other municipalities therein. (Original bill merely added Richmond County and its municipalities to provisions of Ch. 855, SL 1969.)

H 1414 Zoo construction bonds (Iden. S 874; digested in Bulletin No. 117, p. 1109)
Amendments adopted in House 7/8/71: (1) provide that bonds issued to provide initial funds for Zoo. Park construction along with "any other funds available therefor"; (2) delete authority to use bond proceeds for purchase of goods and services essential to establishment of Zoo. Park (thus restricting their use to planning, design and construction of Zoo. Park); (3) delete requirement that expenses for preparation and sale of bonds, which are to be met from Contingency and Emergency Fund, be repaid to that fund from bond proceeds; (4) prohibit completely absentee ballots in bond election; (5) delete requirement that bond election ballots be in conformity with requirements of GS 163-140 ("Kinds of ballots; what they shall contain; arrangement"); and (6) make minor technical amendments.

- H 1440 First offender expunction (digested in Bulletin No. 118, p. 1134)
Amendment adopted in House 7/8/71 provides conditional discharge and expunction of record may be for possession of Cannabis rather than a "substance" prohibited by Art. 5 or 5A of GS Ch. 90.
- H 1463 (CRAVEN) County comm'r elections (digested in Bulletin No. 120, p. 1161)
Amendments adopted in House 7/8/71 provide that commissioners to reside in districts but to be nominated and elected by the county at large (previously, were to be nominated and elected from district also).
- H 1518 Memorializing Carlyle (digested in House section of today's Bulletin)
Amendment adopted in House 7/8/71 makes act effective upon ratification.

SENATE AND HOUSE

CALENDAR ACTION

JUL.08,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 203 INVESTMENT OF FUNDS BY CSC.(5/14) H-REPTD FAV AS AMENDED.
S. 219 SENTENCE CREDIT PENDING APPEAL.(5/18) H-RECALLED FROM COM;
H-RE-REF COM ON CALENDAR.
S. 220 SENTENCE CREDIT PENDING TRIAL.(5/18) H-RECALLED FROM COM;
H-RE-REF COM ON CALENDAR.
S. 301 CITIZENSHIP RESTORATION. H-RECALLED FROM COM; H-RE-REF COM
ON CALENDAR.
S. 420 OIL POLLUTION-UTILITY SITES.(6/24, 7/06, 7/07) S-REC TO
CONCUR IN H AMEND; S-PLACED CAL FOR JULY 9.
S. 428 VISUAL ENVIRONMENT CONTROLS.(6/23) H-REC FROM SENATE; H-REF
TO COM ON CALENDAR.
S. 432 WATER-AIR MANAGEMENT,CONTROLS.(6/29, 7/05, 7/07) S-PASSED
3RD READING.
#S. 494 RETURNING STOLEN PROPERTY. S-REPTD UNFAV.
S. 502 AMENDING ANATOMICAL GIFT ACT.(6/22, 7/08) H-COM AMEND
ADOPTED; H-PASSED 2ND & 3RD READING.
S. 569 CIVIL PROCEDURE CHANGES.(6/02) H-REPTD FAV AS AMENDED.
S. 579 TRANSFER OF RECORDED SOUNDS.(7/08, 7/08) H-COM AMEND ADOPTED;
H-FLOOR AMENDS ADOPTED; H-PASSED 2ND READING.
S. 604 PUNISHMENT-DRIVING UNDER INFLUENCE. H-REC FROM SENATE; H-REF
TO COM ON CALENDAR.
#S. 648 TRAFFIC RULES-COMMUNITY COLLEGES. RATIFIED CH. 795.
S. 660 EMINENT DOMAIN-COURT COSTS.(7/06) H-REC FROM SENATE; H-REF
TO COM ON CALENDAR.
S. 670 TRANSIT SYSTEM FRANCHISE TAX REDUC..(6/11) H-POSTPONED TO
JULY 9.
S. 703 COSTS IN CONDEMNATION ACTIONS.(6/17, 7/06) H-REC FROM SENATE;
H-REF TO COM ON CALENDAR.
S. 706 DMV INSPECTION FEE INCREASE.(7/08) S-REPTD FAV COM
SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
S. 715 UNIFORM GENERAL ELECTION BALLOTS.(7/06) S-PLACED CAL FOR
JULY 12.
S. 724 SHERIFF'S LEGAL DEFENSE.(7/08, 7/08) S-COM AMEND ADOPTED;
S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
S. 734 REVISE PRIVATE DETECTIVE LAW.(7/02, 7/08) H-REC FROM SENATE;
H-RECONSIDERED 3RD READING; H-FLOOR AMEND ADOPTED; H-PASSED
3RD READING; S-REC TO CONCUR H AMENDS; S-CONCURRED IN H
AMENDS.

- S. 743 CREATING METRO CITY WATER DISTRICTS.(7/05, 7/06) S-REC TO CONCUR H AMENDS; S-PLACED CAL FOR JULY 9.
- S. 750 ADVERTISING SALE OF SUBDIVISIONS. H-RECALLED FROM COM; H-RE-REF COM ON CALENDAR.
- S. 764 HIGHER EDUCATION FEES.(7/07) S-PASSED 3RD READING.
- #S. 775 INTERSTATE ENVIRONMENTAL COMPACT.(7/05) S-POSTPONED INDEF..
- S. 784 SPOILED SHELLFISH SEIZURE. H-PASSED 2ND READING.
- S. 789 FIRST MORTGAGE LENDING LIMIT.(7/07) S-PLACED CAL FOR JULY 9.
- S. 790 SCHOOL COUNSELOR-PRIVILEGED COMM..(7/08) H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING.
- S. 794 NO PARKING LIGHTS. S-PLACED CAL FOR JULY 9.
- S. 799 CLASSIF. OF RESIDENCES-PROP. TAX. S-PLACED CAL FOR JULY 9.
- S. 813 INSUR. PREMIUM FINANCING.(6/28) H-REPTD FAV.
- S. 816 SEED POTATO LAW CHANGES.(7/06) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 825 SMALL WATERSHED CHANGES.(7/06) H-REC FROM SENATE.
- S. 826 GOV'S MANSION BULDG. COMM'N. S-PASSED 2ND & 3RD READING.
- #S. 833 ROLE OF NURSES STUDY COMM'N. S-POSTPONED INDEF.
- S. 838 EDUC. INSTITS.-PAVED STREETS.(7/06) H-REC FROM SENATE; H-REF TO COM ON APPROPRN.
- #S. 850 VALIDATING CORPORATE CONVEYANCES. H-REPTD UNFAV.
- S. 851 MARINE SCIENCE COUNCIL.(7/06) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 852 PRIVATE SCHOOL BUSES.(7/06) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 853 (J.RES.) STUDENT MORALITY.(7/05) S-PASSED 2ND & 3RD READING.
- S. 855 DETENTION OF MENTALLY ILL.(7/08) S-COM AMEND ADOPTED; S-PASSED 2ND READING.
- S. 857 MUNICIPAL UTILITIES. S-REPTD FAV AS AMENDED.
- S. 862 POWER PLANT SITING.(6/29) H-REPTD FAV AS AMENDED.
- S. 870 DEED OF TRUST CANCEL. BY BEN.-2. S-PASSED 2ND & 3RD READING.
- S. 873 HIGHWAY COMM'N-TAKING W/O COMPLAINT. S-PASSED 2ND & 3RD READING.
- S. 881 INTEREST ON AGRICULTURAL LOANS.(7/07) S-PASSED 2ND & 3RD READING.
- S. 887 REVIEW OF PROBATION.(7/08) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- S. 905 NO PYRAMID OR CHAIN SCHEMES.(7/08) S-COM AMEND ADOPTED; S-PASSED 2ND READING.
- S. 908 DRAINAGE DIST. TITLE ACQUISITION. S-RE-REF COM ON JUDIC 1.
- S. 917 CORRECTING EXCESSIVE SENTENCES. S-PASSED 2ND & 3RD READING.
- S. 918 AMEND CH. 512,1971 SL.(7/08) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- S. 925 (J.RES.) TAX STUDY COMM'N-DUTY REDEFINED. S-REPTD FAV.
- S. 926 PERMANENT TAX STUDY COMM'N CREATED. S-REPTD FAV.
- S. 931 VEHICLE REMOVAL-SERVICE STATIONS-2.(7/08) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- S. 932 SUBSID. & AFFIL. CORP.-TAXES. S-PASSED 2ND & 3RD READING.
- S. 939 TAX STUDY COMM'N-DIRECTIVE. S-PASSED 2ND & 3RD READING.
- S. 940 CREDIT FOR USING SEAT BELTS. S-REPTD FAV.
- S. 942 SPEC. SUP. COURT JUDGE-TERM. S-REPTD FAV.

- S. 943 AMEND CH. 241, 1971 SL. S-REPTD FAV.
- S. 945 FAMILY COURT SERVICES. S-REPTD FAV.
- S. 948 (J. RES.) HEARINGS ON SELECTION OF JUDGES. S-REPTD FAV.

- H. 56 EQUAL EMPLOYMENT OPPORTUNITY. (7/02) S-REPTD FAV.
- H. 59 UNIFORM MUNICIPAL ELECTION LAWS. (6/18, 6/22, 6/23, 7/08) S-COM AMEND ADOPTED; S-PASSED 2ND READING.
- H. 100 DAY-CARE FACILITIES-2. (6/01, 6/03, 7/06, 7/07) H-REC TO CONCUR S AMENDS; H-CONCURRED IN S AMENDS.
- H. 119 NEW INDUSTRY ENVIRONMENTAL IMPACT. (6/22, 7/08) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- #H. 156 RETAIL INSTALLMENT SALES ACT. (5/27, 6/01, 7/05) RATIFIED CH. 796.
- H. 210 SLOW VEHICLE REFLECTORS. (3/30, 3/30, 3/31, 7/08) S-COM AMEND ADOPTED; S-PLACED CAL FOR JULY 9.
- H. 245 HUMAN TISSUE SALE. (4/27, 4/29, 7/08) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- H. 285 CITIZENSHIP RESTORED. (7/02, 7/07) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.
- H. 294 DRUG LAW REVISION. (6/03, 6/07) S-REPTD FAV AS AMENDED.
- H. 318 PUBLIC DRUNKS, NON-CRIMINAL. (6/25, 7/06) S-REC FROM HOUSE; S-REF TO COM ON CORRECTN.
- #H. 330 LIMITED WATER DIVERSIONS. H-REPTD UNFAV.
- H. 375 VALIDATING FORECLOSURE DATES. (7/06) S-REC FROM HOUSE; S-REF TO COM ON JUDIC 2.
- H. 392 ARSON LAW CHANGES. (5/25, 5/26, 7/08) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- H. 551 LIQUOR IN PUBLIC SCHOOLS. (6/18) S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H. 649 ENVIRONMENTAL POLICY ACT. (5/28, 7/08) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
- H. 685 OIL POLLUTION-UTILITY SITES. (6/24) H-POSTPONED TO JULY 9.
- H. 706 VISUAL ENVIRONMENT CONTROLS. (6/16, 6/22, 7/06) S-REC FROM HOUSE; S-REF TO COM ON CONS&DEV.
- H. 720 WATER-AIR MANAGEMENT, CONTROLS. H-REPTD FAV; H-RE-REF COM ON CALENDAR.
- H. 763 CREDIT FOR PREPAYMENT-TORTS. (6/30) S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- #H. 776 REMOVAL OF GRAVES. (5/05, 5/18, 6/16) RATIFIED CH. 797.
- H. 788 LRC STUDY, SUING POLLUTORS. H-REPTD FAV.
- #H. 885 DRUNK DRIVERS TREATED. (7/07, 7/08) H-FLOOR AMEND ADOPTED; H-FAILED 2ND READING.
- H. 890 PHYSICIANS' ASS'TS REGISTRATION. (6/04) S-FLOOR AMENDS FAILED; S-PASSED 2ND READING.
- H. 902 AFFIDAVITS OF CHEMISTS. S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H. 903 INDUSTRIAL COMMISSION PROCEDURE. (5/28) S-REPTD FAV.
- H. 926 BARBER LAW-PENALTY CHANGE. (6/11, 7/08) S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- H. 928 TRANSFER OF RECORDED SOUNDS. H-POSTPONED TO JULY 9.

- H. 933 GRANTOR OMITTED-DEEDS.(5/31, 7/08) S-COM AMEND ADOPTED;
S-PASSED 2ND & 3RD READING.
- #H. 935 PRIMARY CANDIDATE QUALIFICATIONS.(5/28, 6/23) RATIFIED CH.
798.
- #H. 948 HOSPITAL AUTHORITIES LAW REWRITE.(6/10, 6/17, 7/02, 7/05)
RATIFIED CH. 799.
- H. 960 BARBER'S FEES. S-PASSED 2ND READING.
- #H. 979 COMPARATIVE NEGLIGENCE.(7/08) H-COM AMEND ADOPTED; H-TABLED.
- H. 988 CREATING LEGISLATIVE ETHICS BOARD. S-REC FROM HOUSE; S-REF
TO COM ON CALENDAR.
- H.1008 LICENSING RENTAL VEHICLES. S-PASSED 2ND & 3RD READING.
- H.1023 INJUNCTION CLARIFICATION. H-PASSED 3RD READING.
- H.1028 HISTORIC DISTRICTS.(7/07) S-REC FROM HOUSE; S-REF TO COM ON
ST GOVT.
- #H.1034 HUSBAND AND WIFE CONTRACTS.(6/24) H-POSTPONED INDEF.
- H.1038 NUISANCE DECLARATORY JUDGMENT.(7/07) H-PASSED 3RD READING.
- #H.1044 HUSBAND-WIFE TRESPASS TESTIMONY.(6/18) RATIFIED CH. 800.
- H.1046 MINORS WORKING WHERE BEER SERVED. H-PASSED 3RD READING.
- H.1054 HISTORIC PROPERTY COMMISSIONS.(7/07) H-PASSED 2ND & 3RD
READING.
- H.1058 MUNICIPAL BD. OF CONTROL.(7/07, 7/07) S-REC FROM HOUSE; S-REF
TO COM ON CALENDAR.
- H.1076 CREATING DRUG AUTHORITY.(6/04, 6/22, 7/08) S-REPTD FAV COM
SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
- H.1082 INVESTMENT COMPANIES-TAXATION. S-PASSED 2ND READING.
- H.1090 GROUNDS FOR DIVORCE-INSANITY.(6/29) S-REC FROM HOUSE; S-REF
TO COM ON JUDIC 2.
- H.1102 HUSBAND-WIFE TORT ACTIONS. S-REPTD FAV.
- H.1106 UNLAWFUL SCHOOL ABSENCES.(7/07) S-REC FROM HOUSE; S-REF TO
COM ON EDUCATN.
- H.1117 SECOND MORTGAGE CHARGES.(7/01, 7/01) H-PASSED 3RD READING.
- H.1118 SAVINGS & LOAN LOSS RESERVES. S-REC FROM HOUSE; S-REF TO COM
ON INSUR.
- H.1129 UNIFORM GENERAL ELECTION BALLOTS.(6/24, 6/24) S-REC FROM
HOUSE; S-REF TO COM ON CALENDAR.
- H.1165 MUNICIPAL AUTH.-GRANTS & LOANS.(7/07) S-REC FROM HOUSE; S-REF
TO COM ON INTERGOV.
- H.1167 CHANGING FORMAL BID REQUIREMENTS.(7/07) S-REC FROM HOUSE;
S-REF TO COM ON CALENDAR.
- H.1169 REPEALING GOV'T VEHICLE EXEMPTION. S-REC FROM HOUSE; S-REF
TO COM ON CALENDAR.
- H.1175 HIGHWAY PATROL AWARD.(7/07) S-REC FROM HOUSE; S-REF TO COM
ON CALENDAR.
- H.1194 LABELING APPLES.(7/01) S-PLACED CAL FOR JULY 13.
- H.1211 INVESTMENT COMPANY TAXES.(7/01) S-PASSED 2ND READING.
- H.1230 INTERSTATE ENVIRONMENTAL COMPACT.(6/30) S-PASSED 2ND & 3RD
READING.
- H.1249 SENTENCE CREDIT-ANOTHER JURISD.. S-REPTD FAV.
- H.1262 INSUR. PREMIUM TAX EXEMPTION.(7/08) H-COM AMEND ADOPTED;
H-PASSED 2ND & 3RD READING.

- H.1292 HAM VEHICLE LICENSES.(7/05) H-REC TO CONCUR IN COM SUB;
H-PASSED 2ND READING.
- #H.1301 INSUR. PREMIUM FINANCING. H-REPTD UNFAV.
- H.1331 AMEND CHAPTER 423,1971 SL. S-PASSED 2ND READING; S-PASSED
3RD READING.
- H.1339 (J.RES.) ROLE OF NURSES STUDY COMM'N. S-PASSED 2ND & 3RD
READING.
- H.1341 TRUSTS FOR COUNTIES. H-REPTD FAV.
- H.1342 TOXIC VAPORS ACT. H-PASSED 2ND & 3RD READING.
- H.1374 DISSOLVING DIST. HEALTH DEP'TS. H-PASSED 2ND & 3RD READING.
- H.1380 SANITARY DIST. BOND INTEREST. S-REPTD FAV.
- H.1386 LICENSE FEE,PRACTIC. PSYCHOLOGISTS. S-REPTD FAV; S-RE-REF
COM ON FINANCE.
- H.1389 ANIMAL WELFARE ACT. H-REPTD FAV; H-RE-REF COM ON APPROPRN.
- #H.1393 VALIDATING CORPORATE CONVEYANCES. H-REPTD UNFAV.
- H.1414 ZOO CONSTRUCTION BONDS.(7/08) H-FLOOR AMEND ADOPTED; H-PASSED
2ND READING.
- H.1429 (J.RES.) LRC STUDY OF TEACHER LICENSING. S-REC FROM HOUSE;
S-REF TO COM ON EDUCATN.
- H.1439 CITY AUTO LICENSE TAX INCREASE-2. H-PASSED 2ND READING.
- H.1440 FIRST OFFENDER EXPUNCTION.(7/08) H-FLOOR AMEND ADOPTED;
H-PASSED 2ND & 3RD READING.
- H.1472 CAPE FEAR RIVER PILOT FEES-2. H-PASSED 3RD READING; S-REC
FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1484 NO WEAPONS FOR INMATES. H-PASSED 2ND & 3RD READING.
- H.1510 CODIFYING CERTAIN 1971 ACTS. H-REPTD FAV.
- H.1518 (J.RES.) MEMORIALIZING CARLYLE.(7/08) H-FLOOR AMEND ADOPTED;
H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM
ON CALENDAR.
- H.1520 FAMILY COURT SERVICES. H-PASSED 2ND & 3RD READING; S-REC
FROM HOUSE; S-REF TO COM ON COURTS.

LOCAL BILLS

- S. 749 (HALIFAX) ROANOKE RAPIDS CITY LIMITS.(6/16, 6/21, 7/05)
S-PASSED 2ND READING.
- S. 847 (HALIFAX) ROANOKE RAPIDS CITY LIMITS.(7/05) S-PASSED 2ND
READING.
- S. 882 (SAMPSON) DEER KILLING FROM BOATS. S-PASSED 2ND & 3RD
READING.
- S. 884 (BRUNSWICK) FOX HUNTING. S-PASSED 2ND & 3RD READING.
- S. 901 (COLUMBUS) CHADBOURN BEER SALES. H-REC FROM SENATE; H-REF TO
COM ON CALENDAR.
- S. 930 (HALIFAX, WARREN) LITTLETON TAX LISTING. H-REC FROM SENATE;
H-REF TO COM ON CALENDAR.
- S. 935 (BLADEN) ELIZABETHTOWN ABC VOTE. S-PASSED 3RD READING.
- H. 562 (ROBESON) MARKING ELECTION BALLOT. S-PASSED 2ND & 3RD
READING.
- #H.1251 (EDGECOMBE) PRINCEVILLE ANNEXATION.(6/18, 7/05) RATIFIED CH.
801.

- #H.1302 (BUNCOMBE) BD. OF TAX SUPERVISION.(6/25, 7/05) RATIFIED CH. 802.
- H.1307 (WARREN) SCHL BD-CTY.COMM'RS-ELECTION DIST.S.(7/05) S-REPTD FAV.
- H.1391 (RICHMOND) FIRE SERVICE LIENS.(7/08) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
- H.1412 (RANDOLPH) RANDLEMAN ABC PROFITS. S-REPTD FAV.
- H.1421 (MECKLENBURG) CHARLOTTE CHARTER-RETIREE INSUR..(7/02) S-REPTD FAV.
- H.1443 (MECKLENBURG) FIREMEN'S RETIREMENT-CHARLOTTE. S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1455 (CLEVELAND) PATTERSON SPRINGS INCORPORATION. H-PASSED 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1460 (PAMLICO) MINNESOTT BEACH INCORPORATION.(7/07) H-PASSED 3RD READING.
- H.1463 (CRAVEN) COUNTY COMM'R ELECTIONS.(7/08, 7/08) H-COM AMEND ADOPTED; H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H.1464 (ROCKINGHAM) AMEND CH. 615,1971 SL. S-REPTD FAV.
- H.1492 (MOORE) BD. EDUC. PROPERTY TRANSFER. S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.

Next Session of House: 10:00 a.m., Friday, July 9, 1971.

Next Session of Senate: 9:30 a.m., Friday, July 9, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 128

-1261-

FRIDAY, JULY 9, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 957 Amending Ch. 673, 1971 SL (Iden. H 1521) GS 96
Introducer: Rauch Sent to INTERGOV

"To amend Chapter 673 of the 1971 Session Laws of North Carolina relating to the Employment Security Law." Identical with H 1521, digested in Bulletin No. 127, p. 1248.

S 959 Pay raise-certain state positions (Iden. H 1531) APPROPRIATION
Introducers: Bailey and Coggins Sent to APPROPRN

"To provide legislative salary increases for state positions for which the salaries have heretofore been set by the Governor and Advisory Budget Commission." Identical with H 1531, digested in the House section of today's Bulletin.

S 960 Repealing Chapter 562, 1971 SL GS 15
Introducer: Warren Sent to CALENDAR

"To repeal Chapter 562, Session Laws 1971, relating to a plea of guilty in first degree murder, first degree burglary, arson and theft." As title indicates, repealing act which enacted a new section GS 15-162.1. Repealed section permitted written tender of plea of guilty in capital offenses, with automatic sentence of life imprisonment if tender accepted by State.

HOUSE

H 1527 (Joint Resolution) Commem. 2nd Marine Air Wing Anniv. MISC RES
Introducer: Mason Passed three readings and sent to Senate

"Commemorating the thirtieth anniversary of the organization of the Second Marine Aircraft Wing." As title indicates.

H 1528 (Joint Resolution) Honoring Tuscarora Chief Lucas MISC RES
Introducer: Arnold Passed three readings and sent to Senate

"Honoring Wade Lucas." Honoring Mr. Wade Lucas for the invitation extended him by the Tuscarora Indian Nation to become the first paleface ever to be made an honorary chieftain of the tribe.



H 1529 ABC tax for Medicaid
Introducer: S. Johnson

GS 18, 105
Sent to FINANCE

"To impose a tax on certain alcoholic beverages." Adds new GS 18-61(a3) imposing a tax of 10¢ per 1/10th gallon (or larger) ABC store bottle sold, with 5¢ of tax to go to State's General Fund for use for Medicaid payments made by State and 5¢ to county comm'rs of county in which bottle sold for use for county's share of Medicaid payments. Provides if S 107 ("Liquor law revision") is ratified, GS 105-113.93, as therein enacted, is amended by adding new subsection (c) of content identical with new GS 18-61(a3) above.

H 1530 Election law-ballot marking
Introducer: Frye

GS 163
Sent to CALENDAR

"To amend Chapter 163 of the General Statutes so as to permit a voter to vote for the candidates of his choice." Repeals GS 163-151(2)(d), -151(3)(b), and -170(7) and (8), thereby permitting single-shot voting in cities and counties listed in those statutes

H 1531 Pay raise-certain state positions (Iden. S. 953) APPROPRIATION
Introducer: S. Johnson Sent to APPROPRN

"To provide legislative salary increases for state positions for which the salaries have heretofore been set by the Governor and Advisory Budget Commission." Provides state positions for which salaries have heretofore been set by Gov. and Adv. Budget Comm'n, except presidents, chancellors, and staffs of institutions of higher learning, and the Director and Ass't Director of the Bd. of Higher Ed., shall receive a 5% salary increase for the first year of the biennium and an additional 5% increase for the second year. Effective July 1, 1971.

H 1532 Funding more driver education
Introducer: H. Rountree

APPROPRIATION
Sent to APPROPRN

"To provide additional appropriations of the Department of Motor Vehicles for additional driver education representatives." Identical with S 953, digested in Bulletin No. 127, p. 1247.

H 1535 Numbered representative districts
Introducer: Ingram

GS 163, RANDOLPH
Sent to CALENDAR

"To apply the provisions of G.S. 163-117, relating to numbered representative districts, to the County of Randolph." As title indicates.

LOCAL BILLS INTRODUCED

SENATE

S 958 Pay raise-bd of comm'rs ch'rm'n
Introducer: Killian

JACKSON
Sent to CALENDAR

"To provide compensation for the Chairman of the County Board of Commissioners of Jackson County." Raises annual salary of Chairman of Jackson Co. Board of Comm'rs to \$11,400, and leaves amount to be received by Chairman for travel expenses at \$600 per year. Effective July 1, 1971.

HOUSE

H 1533 Booze buying-Sylva, Brevard
Introducer: McMichael

JACKSON, TRANSYLVANIA
Sent to CALENDAR

"To authorize the purchase, possession and transportation of liquor in excess of one gallon in the Towns of Brevard and Sylva." As title indicates, adding those two towns to Chapter 617 of the 1969 SL, which enacted GS 18-49.6 through 18-49.9.

H 1534 Raleigh Civil Service Comm'n
Introducers: Twiggs and others

WAKE
Sent to CALENDAR

"To combine the Civil Service Commission for the City of Raleigh and to repeal the existing Civil Service Act." As title indicates, creates Civil Service Comm'n of 7 members, 3 appointed by City Council, 3 elected by employees, and one appointed by other six. No member may be City employee or officer or related to such. City officers and employees to be appointed and promoted on merit with contentions of bias to be heard by Comm'n. Act applies to all officers and employees except following: (1) elected officials; (2) City Council and manager appointees and immediate secretaries; (3) dep't and division heads and immediate secretaries; (4) part-time or non-permanent employees; and (5) employees serving probationary appointments. City manager to administer city personnel system. Comm'n to hear employee appeals concerning "violation of city policy, suspensions, lay off, removal, promotions, forfeiture of pay or loss of time" but only after all administrative remedies exhausted. Comm'n may affirm, modify, or reverse prior decisions on such violations. Employees and officers not to participate in elections for city offices except to vote: violation is misdemeanor punishable by imprisonment up to 90 days or fine up to \$200, or both, and employee shall be discharged upon conviction. Repeals prior acts in conflict.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 523 Farm land valuation-2 (Iden. H 834; digested in Bulletin No. 78, p. 627)
Committee Substitute adopted in Senate 7/9/71 identical with House Committee Substitute (digested in Bulletin No. 122, p. 1192) with following changes: (1) includes in definition of "farmland" requirement that owner derive one-third or more of his normal total income from such land; (2) does not include provision concerning valuation of idle land; (3) returns to application form requirements of bill as introduced; (4) shortens the roll-back provision to the year in which the eligibility was lost and the preceding three years (was four years in House C/S), and provides that no interest is to be paid on the deferred taxes if they are timely paid; (5) contains a procedure for new owner, if land sold, to apply for classification, made necessary because of income element added to definition of farmland; and (6) returns the penalty clause to the bill (deleted from House C/S).

S 758 Clean Water bonds (Iden. H 1217; digested in Bulletin No. 105, p. 946)
Committee Substitute adopted in Senate 7/9/71 identical to House Committee Substitute digested in House section of today's Bulletin.

S 794 No parking lights (digested in Bulletin No. 110, p. 1004)
Amendment adopted in Senate 7/9/71 clarifies that it is motor vehicles and not lights that are to be upon public street and highway.

S 799 Classif. of residences-prop. tax (Iden. H 1286 digested in Bulletin No. 111, p. 1013)
Amendment adopted in Senate 7/9/71 makes technical changes, primarily renumbering sections to be enacted by bill.

S 857 Municipal utilities (digested in Bulletin No. 116, p. 1092)

Amendment adopted in Senate 7/9/71 makes bill inapplicable to municipally owned electric and telephone systems, thereby making bill only applicable to municipally owned gas systems.

S 862 Power plant siting (Iden. H 1388, digested in Bulletin No. 116, p. 1095)

Amendments adopted in House 7/9/71 make following changes in bill, other than those provisions dealing with eminent domain: (1) delete proviso in definitions section that "major utility facility" shall not include electric distribution lines and associated facilities; (2) clarify that when a certificate of environmental compatibility and public convenience is transferred it must be transferred without modification; (3) provide that only those water power generating facilities over which the FPC has licensing jurisdiction are exempt from the act if they have been pre-empted from state jurisdiction by specific act of Congress; (4) alter definition of emergency in which Comm'n may waive notice and hearing requirements of act to require that emergency be one that threatens the health, welfare and safety of the public and is an unforeseeable, imminent public emergency; (5) require that upon request by any party the Comm'n shall conduct those phases of the proceeding which are related to the protection of the environment or to the location of the site involved in the county where the facility or project is to be located; (6) specifically provide that powers and responsibilities conferred by law upon Dep't of Water and Air Res. and Bd. of Health for continuing enforcement of water and air pollution standards and radiation standards shall remain in effect for application to the operation and maintenance of the facility upon completion of construction.

Make following changes in eminent domain provisions: (1) provide eminent domain powers may not be exercised except after a certificate has been issued and after conclusions of any appeal based on exceptions to the validity of the entire facility; (2) provide the utility shall pay all court costs taxed by court, such costs to include witness fees of appraisers called by any party; (3) provide for appointment of attorney for unknown persons and guardian ad litem for incompetents; (4) add new inverse condemnation procedure whereby person whose land is taken by utility without formal condemnation procedures may, within 2 years of the taking, file action for compensation and utility, upon making answer, must deposit in court estimated amount of compensation for taking, issues of taking and compensation therefor then to be tried as in eminent domain proceedings set out for utility in act; (5) provide court may allow reasonable attorney's fee to owner of interest being acquired under Act.

S 905 No pyramid or chain schemes (Iden. H 1395, digested in Bulletin No. 116, p. 1097)

Amendment adopted in Senate 7/9/71 completely revises definition of a pyramid distribution plan to mean any program utilizing a pyramid or chain process by which a participant gives a valuable consideration for the opportunity to receive compensation or things of value in return for inducing other persons to become participants in the program (bill defined it as program requiring participant to pay valuable consideration to promoter to participate in program and in which participant given right to recruit other participants).

- S 947 (Catawba) Electing Hickory school board (Iden. H 1517) (digested in Bulletin No. 126, p. 1236)

Amendment adopted in Senate 7/9/71 provides that if vacancy on bd. occurs during first two years of a term, the appointment to fill the vacancy shall be until the next election for seats on the Bd. at which time the vacancy shall be filled by election for the remaining two years of the term, and if the vacancy occurs during the last two years of a term the appointment shall be for remainder of term. Provides that bd. must consult with county bd. of elections before changing ward boundaries and makes technical change.

HOUSE BILLS

- H 276 Tax classification-water companies (digested in Bulletin No. 28, p. 192)
Committee Substitute adopted in House 7/9/71: (1) retains substantive provisions of original bill but provides General Statutes amendments as indicated therein to be effective only if H 169 (Machinery Act of 1971) is not ratified; (2) provides if H 169 is ratified, the same substantive provisions are to be accomplished by appropriate amendments of GS 105-275 and GS 105-333. (NOTE: H 169 was ratified 7/9/71.)

- H 294 Drug law revision (digested in Bulletin No. 31, p. 210; House Committee Substitute digested in Bulletin No. 102, p. 914; Amendments digested in Bulletin No. 104, p. 938)
Amendments adopted in Senate 7/9/71: (1) make numerous technical corrections; (2) change amount of tetrahydrocannabinols (from one gram to 1/100 gram) that must be possessed to have presumption of possession in violation of GS 90-95(a)(1) (manufacture, distribution or dispensation, or intent thereof); (3) add new GS-106 (g) and (h) (to section on prescriptions and labeling) requiring that any copy of a prescription for a controlled substance shall be plainly marked as a copy and may not be filled or re-filled, and requiring any pharmacist dispensing a controlled substance under the act to enter the date of dispensing and his signature on the face of the prescription; (4) provide that a conveyance may be forfeited only for violations involving manufacture, creation, distribution or dispensation (or intent thereof) of controlled substances (or counterfeits thereof), thus excluding simple possession; and provide that a forfeiture of a conveyance encumbered by bonafide security interest is subject to the interest of the secured party, if he had no knowledge of or did not consent to the act or omission causing the forfeiture; (5) provide that if a conveyance transferred to law enforcement agency is no longer of use to the agency, the agency may sell it as surplus property with proceeds to school fund of county in which the conveyance seized and provide that any conveyance that has been modified to increase speed may be used only for official duties and otherwise must be sold as junk; (6) provide that no liability is to be imposed by new article upon any "officer" (was, "State officer"); (7) require any person who conducts research, or proposes to do so, with controlled dangerous substances within NC to obtain annually a registration issued by NC Drug Authority; delete provisions requiring additional findings by Drug Authority to register persons wishing to conduct research; and provide that practitioners registered under federal law to conduct research may conduct research in NC by furnishing NC Drug Authority with evidence of federal registration, and provide a similar authority for research facilities.

H 543 State employees-travel allowances (Iden. S 346; digested in Bulletin No. 56, p. 401)

Committee Substitute adopted in House 7/9/71 provides that mileage allowance for use of privately-owned automobiles by state employees is to be 10¢ (as introduced, 11¢) per mile; that in-State subsistence allowance to be \$17.50 per day (as introduced, \$18); that out-of-State subsistence allowance to be \$25 (as introduced, \$22) per day; and that convention registration fee allowance not to exceed \$15 (nothing in bill as introduced concerning convention fee allowance; present allowance is \$10).

H 1127 Public Solicitation Act (digested in Bulletin No. 98, p. 873; Committee Substitute and amendment to Committee Substitute adopted in House 6/23/71 digested in Bulletin No. 116, p. 1102)

Amendments adopted in House 7/9/71 make following major changes: (1) delete section requiring persons soliciting to have identification card giving name, name of soliciting organization, etc., and requiring organizations to keep records of solicitor information cards; (2) exempt colleges holding membership in NC Assoc. of Colleges and Universities from coverage of act; (3) exempt from act any organization chartered by Congress; (4) redefine "church" so that those with affiliations in 15 counties (previously, 25) and having total membership of 5,000 (previously, 10,000) are exempted from act; and (5) remove requirement that soliciting must be by members for local soliciting organization to be exempted from act.

H 1172 Education expense grants (digested in Bulletin No. 103, p. 922)

Amendments adopted in House 7/9/71: (1) include "out-of-State" with "private" institutions that exceptional child may attend when state's public schools cannot provide necessary training, and (2) eliminate from definition of exceptional child "exceptionally gifted or talented child."

H 1214 Insurance agency records (digested in Bulletin No. 106, p. 960)

Committee Substitute adopted in House 7/9/71: (1) deletes provision Comm'r to make rules assuring separation of insurance transaction funds from other funds belonging to such agencies or agents; (2) deletes right of Comm'r to be notified as to name of person appointed by agency to keep records required by act and requirement such position must be filled if company is to engage in insurance business in State; and (3) makes act effective upon ratification rather than Oct. 1, 1971.

H 1217 Clean Water bonds (Iden. S 759; digested in Bulletin No. 106, p. 960)

Committee Substitute adopted in House 7/9/71 makes following changes in bill: (1) decreases contingency account to be created from bond proceeds to \$5 million (as introduced, \$10 million); (2) increases to \$75 million (as introduced, \$70 million) amount of proceeds to go to pollution control account; (3) provides that \$50 million in pollution control account to be used only for providing State share of funds required for an approval wastewater treatment works project to qualify for a federal grant pursuant to Federal Water Pollution Control Act, as amended (33 USC 446, et seq.); (4) provides that \$25 million in pollution control account to be allocated among the counties by population, for use for grants to counties and other local governments for wastewater collection system projects, and limits such grants to cumulative amount of \$5 million in first fiscal year, with cumulative limit staged upwards \$5 million in each succeeding fiscal year through the fifth; (5) provides that \$50 million in water supply systems account to be allocated among the counties by population, for use for grants to counties and other local governments for water supply system projects, and limits such grants to cumulative amount of \$10 million in first fiscal year, with cumulative limit staged upwards \$10 million in each succeeding fiscal year through the fifth.

(6) provides that remaining \$20 million in water supply systems account to be used for grants without limitation as to county; (7) limits all grants to cumulative amount of \$30 million in first year, including grants from contingency account (as introduced, amount was \$28 million and did not include grants from contingency account), with cumulative limit staged upwards \$30 million in each succeeding fiscal year through the fifth; (8) provides that those funds in pollution control account and water supply systems account allocated to the several counties, that remain uncommitted in those accounts on June 30, 1977 are to be used for grants in those accounts without regard to population allocations; (9) modifies priorities provisions by limiting quarterly determination to grants to be made from funds not allocated by counties, by providing that grants from funds allocated by counties are to be given priority on a fiscal year basis, and by providing that priority for county allocated funds are to be determined only by reference to applications from governments in each county.

H 1371 Dep't of Pub. Inst. Environ. funds (digested in Bulletin No. 115, p. 1082)
Committee Substitute adopted 7/9/71 deletes appropriation but authorizes Dep't to employ environmental specialist from available funds.

H 1419 (New Hanover) Tax collection consolidation (digested in Bulletin No. 117, p. 1112)
Amendment adopted in Senate 7/9/71, the text of which was unavailable at the time of publication of this Bulletin.

H 1491 School tax referendum (digested in Bulletin No. 122, p. 1191)
Committee Substitute adopted in House 7/9/71 increases supplemental school tax to be voted on from 30¢ to 37¢ per \$100 property valuation. Also eliminates provisions for levying in school districts of county if election passes in district but fails county-wide.

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 87 FIREMEN'S DEATH BENEFIT.(2/17) S-REPTD FAV AS AMENDED.
 S. 120 PROPERTY TAX RELIEF TO AGED.(5/31) H-REPTD FAV AS AMENDED;
 H-RE-REF COM ON JUDIC 1.
 #S. 140 RIGHT-OF-WAY SIGNS.(7/05) H-REPTD UNFAV.
 S. 159 1969 SELF-LIQUIDATING PROJECT. S-REPTD FAV.
 S. 168 REGIONAL WATER SUPPLY PLANNING. H-REPTD FAV.
 S. 204 WILDLIFE PROTECTOR RETIREMENT.(4/20) H-REPTD FAV.
 #S. 208 BEAR KILLING PENALTY.(4/20) H-REPTD UNFAV.
 #S. 234 SOUTHERN LATERAL SEAWARD BNDRY.(7/06) RATIFIED CH. 804.
 S. 249 PODIATRY DEFINED.(7/01) H-CONF COM APPOINTED.
 S. 271 UNC-G DORM FINANCING. S-REPTD FAV.
 S. 272 APPALACHIAN STATE DORM FINANCING. S-REPTD FAV.
 S. 279 WORKMEN'S COMP.-PRISONERS.(4/01) S-REPTD FAV AS AMENDED.
 S. 335 TORT CLAIMS-STATE LIABILITY. S-REPTD FAV.
 #S. 399 GOVERNMENTAL EMPLOYEES-REGULATION.(6/09) H-REPTD UNFAV.
 S. 420 OIL POLLUTION-UTILITY SITES.(6/24, 7/06, 7/07) S-CONCURRED
 IN H AMEND.
 S. 445 NC PESTICIDE LAW OF 1971.(6/16) H-PASSED 2ND READING.
 S. 493 UNC-C STUDENT UNION FUNDS. S-REPTD FAV.
 S. 502 AMENDING ANATOMICAL GIFT ACT.(6/22, 7/08) S-REC TO CONCUR IN
 H AMEND; S-FAILED TO CONCUR; S-CONF COM APPOINTED.
 S. 512 JUVENILE CORRECTION,WORK PAY. H-REPTD FAV.
 S. 523 FARM LAND VALUATION-2.(7/09) S-REPTD FAV COM SUBSTITUTE; S-COM
 SUBSTITUTE ADOPTED.
 S. 579 TRANSFER OF RECORDED SOUNDS.(7/08, 7/08) H-POSTPONED TO JULY
 12.
 S. 584 POST OFFICE AND BANK AT WCU. S-REPTD FAV.
 #S. 634 TRANSCRIPT COSTS-INDIGENTS.(6/23) H-REPTD UNFAV.
 S. 670 TRANSIT SYSTEM FRANCHISE TAX REDUC..(6/11) H-PASSED 2ND
 READING.
 S. 674 OCCUPATIONAL DEAFNESS,COMP..(6/25) H-REPTD FAV.
 S. 678 ESCHEAT PENALTY. H-REPTD FAV.
 S. 679 ESCHEAT REPORTS. H-REPTD FAV.
 S. 680 ESCHEAT,STATUTE OF LIMITATIONS.(6/28) H-REPTD FAV.
 S. 681 ESCHEAT LAW REVISION.(6/25) H-REPTD FAV.
 S. 682 ESCHEAT-FEDERAL COURT. H-REPTD FAV.
 #S. 687 DIVORCE ACTIONS-FINDINGS OF FACT.(6/28) H-REPTD UNFAV.
 #S. 688 ESTABLISHMENT OF CARTWAYS. H-REPTD UNFAV.
 S. 689 MOTOR VEHICLE LENDERS.(6/30) H-REPTD FAV.

- S. 706 DMV INSPECTION FEE INCREASE.(7/08) S-PASSED 2ND READING.
- S. 725 VARIABLE ANNUITIES SALESMEN.(6/24, 6/28) H-PASSED 2ND & 3RD READING.
- #S. 735 DRIVER LICENSE PROBATION. H-REPTD UNFAV.
- S. 736 JUVENILE COURT CHANGES.(6/28) H-REPTD FAV.
- S. 743 CREATING METRO CITY WATER DISTRICTS.(7/05, 7/06) S-CONCURRED IN H AMEND.
- S. 745 ECONOMICS TEACHING FUNDS. S-REPTD FAV AS AMENDED.
- S. 758 CLEAN WATER BONDS.(7/09) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
- S. 764 HIGHER EDUCATION FEES.(7/07) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- #S. 776 LOCATING ELEVATOR WIRING DIAGRAMS.(6/29) H-REPTD UNFAV.
- S. 784 SPOILED SHELLFISH SEIZURE. H-POSTPONED TO JULY 13.
- S. 788 TRAFFIC LAWS-PEMBROKE STATE UNIV.. H-REPTD FAV.
- S. 789 FIRST MORTGAGE LENDING LIMIT.(7/07) S-PLACED CAL FOR JULY 13.
- S. 790 SCHOOL COUNSELOR-PRIVILEGED COMM..(7/08) S-REC TO CONCUR IN H AMEND; S-PLACED CAL FOR JULY 12.
- S. 791 MENTAL RETARDATION COUNCIL.(6/28, 6/28) H-REPTD FAV.
- #S. 794 NO PARKING LIGHTS.(7/09) S-COM AMEND ADOPTED; S-FAILED 2ND READING.
- S. 796 CONFORMING STATUTES TO GS CH. 7A. H-REPTD FAV.
- S. 799 CLASSIF. OF RESIDENCES-PROP. TAX.(7/09) S-FLOOR AMEND ADOPTED; S-PASSED 2ND READING.
- S. 815 BUS LICENSES. H-REPTD FAV.
- S. 824 AMEND SL 1971, CH. 338-FAC.RETIRE.(6/28) H-REPTD FAV.
- S. 826 GOV'S MANSION BLDG. COMM'N. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 844 CONFORMING GS CH. 23 WITH GS CH. 7A. H-REPTD FAV.
- S. 855 DETENTION OF MENTALLY ILL.(7/08) S-PASSED 3RD READING.
- S. 857 MUNICIPAL UTILITIES.(7/09) S-COM AMEND ADOPTED; S-PASSED 2ND READING.
- S. 859 AMEND CH. 508, 1971 SL.(7/05) H-REPTD FAV.
- #S. 861 HEALTH MAINTENANCE PLANS.(7/02) H-REPTD UNFAV.
- S. 862 POWER PLANT SITING.(6/29, 7/09, 7/09) H-13 COM AMENDS ADOPTED; H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING.
- S. 866 CANNED DOGFOOD LAW.(7/05) H-REPTD FAV.
- S. 870 DEED OF TRUST CANCEL. BY BEN.-2. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 873 HIGHWAY COMM'N-TAKING W/O COMPLAINT. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 881 INTEREST ON AGRICULTURAL LOANS.(7/07) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 887 REVIEW OF PROBATION.(7/08) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 905 NO PYRAMID OR CHAIN SCHEMES.(7/08, 7/09) S-COM AMEND ADOPTED; S-PASSED 3RD READING.
- S. 909 STATE RET.-ADMIN. EXPENSES. S-REPTD FAV.
- S. 914 SETTING COUNCIL OF STATE PAY. S-REPTD FAV.
- S. 917 CORRECTING EXCESSIVE SENTENCES. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.

- S. 918 AMEND CH. 512, 1971 SL. (7/08) H-REC FROM SENATE.
- S. 919 SETTING LT. GOVERNOR'S PAY-2. S-REPTD FAV.
- S. 925 (J.RES.) TAX STUDY COMM'N-DUTY REDEFINED. S-PASSED 2ND READING.
- S. 926 PERMANENT TAX STUDY COMM'N CREATED. S-PASSED 2ND & 3RD READING.
- S. 929 AMEND CH. 708, SL 1971-MEDICAID. S-REPTD FAV AS AMENDED.
- S. 931 VEHICLE REMOVAL-SERVICE STATIONS-2. (7/08) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 932 SUBSID. & AFFIL. CORP.-TAXES. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 934 CONSOL. CLAIMS SECTION-STATE. S-REPTD FAV AS AMENDED.
- S. 939 TAX STUDY COMM'N-DIRECTIVE. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 940 CREDIT FOR USING SEAT BELTS. S-PLACED CAL FOR JULY 14.
- S. 942 SPEC. SUP. COURT JUDGE-TERM. S-PASSED 2ND & 3RD READING.
- S. 943 AMEND CH. 241, 1971 SL. S-PASSED 2ND & 3RD READING.
- #S. 945 FAMILY COURT SERVICES. S-POSTPONED INDEF..
- S. 948 (J.RES.) HEARINGS ON SELECTION OF JUDGES. S-PASSED 2ND & 3RD READING.
- S. 951 (J.RES.) MEMORIALIZING JAMES A. BRIDGER. S-REPTD FAV.
- S. 952 (J.RES.) MEMORIALIZING DR. DEWEY H. BRIDGER. S-REPTD FAV.
- S. 955 (J.RES.) JUDGES SURVIVOR & RET. BENEFITS. S-REPTD FAV.
- S. 956 (J.RES.) MEMORIALIZING ROBERT N. SIMMS, JR.. S-REPTD FAV.
- S. 957 AMENDING CH. 673, 1971 SL. S-REF TO COM ON INTERGOV; S-REPTD FAV; S-PLACED ON CALENDAR; S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PASSED 2ND READING.

- #H. 12 CIGARETTE TAX REPEAL. H-REPTD UNFAV.
- H. 56 EQUAL EMPLOYMENT OPPORTUNITY. (7/02) S-PASSED 2ND & 3RD READING.
- H. 59 UNIFORM MUNICIPAL ELECTION LAWS. (6/18, 6/22, 6/23, 7/08) S-FLOOR AMEND FAILED; S-PASSED 3RD READING.
- #H. 62 NO HUNTING IN QUARANTINE AREAS. H-REPTD UNFAV.
- #H. 98 TAX EXEMPTION-WATER COMPANIES. H-REPTD UNFAV.
- #H. 100 DAY-CARE FACILITIES-2. (6/01, 6/03, 7/06, 7/07) RATIFIED CH. 803.
- H. 119 NEW INDUSTRY ENVIRONMENTAL IMPACT. (6/22, 7/08) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- #H. 169 MACHINERY ACT OF 1971. (6/16, 6/22, 6/23, 7/01, 7/02, 7/02) RATIFIED CH. 806.
- #H. 185 PROPERTY TAX RELIEF TO AGED. H-REPTD UNFAV.
- H. 203 YOUTH ADVOCACY COMMISSION. (2/25) H-REPTD FAV AS AMENDED.
- H. 210 SLOW VEHICLE REFLECTORS. (3/30, 3/30, 3/31, 7/08) S-PLACED CAL FOR JULY 13.
- H. 220 CLERKS, MAGISTRATES' SALARIES. H-REPTD FAV.
- H. 243 1967 SELF-LIQUIDATING PROJECT. H-REPTD FAV.
- H. 245 HUMAN TISSUE SALE. (4/27, 4/29, 7/08) H-REC TO CONCUR IN S AMEND; H-PLACED CAL FOR JULY 12.
- #H. 250 (J.RES.) FEDERAL MEAT INSPECTIONS. H-REPTD UNFAV.

- H. 275 TAX CLASSIFICATION-WATER COMPANIES.(7/09) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- #H. 276 TAX EXEMPTION-WATER COMPANIES. H-REPTD UNFAV.
- H. 286 INCREASE COMMISSION MEMBERS' PAY. H-REPTD FAV AS AMENDED.
- #H. 288 GAME CARCASS TAGS. H-REPTD UNFAV.
- H. 294 DRUG LAW REVISION.(6/03, 6/07, 7/09) S-COM AMENDS ADOPTED; S-PLACED CAL FOR JULY 13.
- #H. 360 QUAIL PROPAGATION AND SALE. H-REPTD UNFAV.
- H. 392 ARSON LAW CHANGES.(5/25, 5/26, 7/08) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- H. 393 SUBCONTRACTORS' LIENS REWRITE.(6/25, 6/25) S-RECALLED FROM COM; S-RE-REF COM ON JUDIC 1.
- H. 533 FRANKLIN MAGISTRATES. S-REPTD FAV.
- H. 543 STATE EMPLOYEES-TRAVEL ALLOWANCE.(7/09) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- #H. 546 TAX EXEMPTION-NATIONAL GUARD PAY. H-REPTD UNFAV.
- #H. 567 SEED LAW. H-REPTD UNFAV.
- #H. 620 NC MILK COMMISSIONER. H-REPTD UNFAV.
- H. 649 ENVIRONMENTAL POLICY ACT.(5/28, 7/08) S-PASSED 2ND & 3RD READING.
- #H. 685 OIL POLLUTION-UTILITY SITES.(6/24) H-POSTPONED INDEF.
- H. 700 TORT CLAIMS-LOCAL LIABILITY.(5/25, 7/06) H-PASSED 2ND READING.
- H. 706 VISUAL ENVIRONMENT CONTROLS.(6/16, 6/22, 7/06) S-RECALLED FROM COM; S-RE-REF COM ON ROADS.
- H. 737 NC PESTICIDE LAW OF 1971.(6/17) H-POSTPONED TO JULY 12.
- H. 788 LRC STUDY,SUING POLLUTORS. H-RE-REF COM ON CALENDAR.
- H. 834 FARM LAND VALUATION-2.(6/08, 6/09, 7/01) H-RE-REF COM ON FINANCE.
- H. 871 AUTO LITTER BAGS.(6/16) H-POSTPONED TO JULY 16.
- H. 876 (J.RES.) EXEC. REORG. AMEND-HIGHER ED. H-POSTPONED TO JULY 16.
- H. 885 DRUNK DRIVERS TREATED.(7/07, 7/08) H-RECONSIDERED 2ND READING; H-PLACED CAL FOR JULY 12.
- H. 888 PUBLIC SCHOOL TENURE SYSTEM.(6/23, 6/23, 7/07, 7/07) S-REC FROM HOUSE; S-REF TO COM ON EDUCATN.
- H. 890 PHYSICIANS' ASS'TS REGISTRATION.(6/04) S-FLOOR AMEND FAILED; S-PASSED 3RD READING.
- H. 902 AFFIDAVITS OF CHEMISTS. S-REPTD FAV.
- H. 903 INDUSTRIAL COMMISSION PROCEDURE.(5/28) S-PASSED 2ND & 3RD READING.
- #H. 906 STATE FAIR BOARD. H-REPTD UNFAV.
- H. 914 INCREASED ASSISTANT SOLICITORS.(5/26) H-REPTD FAV AS AMENDED.
- H. 926 BARBER LAW-PENALTY CHANGE.(6/11, 7/08) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- H. 928 TRANSFER OF RECORDED SOUNDS. H-POSTPONED TO JULY 12.
- #H. 929 VOTING RESIDENCE 90 DAYS.(6/14) S-REPTD UNFAV.
- H. 933 GRANTOR OMITTED-DEEDS.(5/31, 7/08) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- H. 947 PER DIEM-HANDICAPPED COMMITTEE. H-REPTD FAV.
- H. 960 BARBER'S FEES. S-PASSED 3RD READING.

- H. 988 CREATING LEGISLATIVE ETHICS BOARD. S-REPTD FAV.
- H.1001 GIFTS TO MINORS CHANGES.(6/25) S-REPTD FAV.
- H.1004 HUGGINS TORT CLAIM. H-REPTD FAV AS AMENDED.
- #H.1008 LICENSING RENTAL VEHICLES. RATIFIED CH. 808.
- H.1046 MINORS WORKING WHERE BEER SERVED. S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1054 HISTORIC PROPERTY COMMISSIONS.(7/07) S-REC FROM HOUSE; S-REF TO COM ON ST GOVT.
- H.1076 CREATING DRUG AUTHORITY.(6/04, 6/22, 7/08) S-PASSED 2ND & 3RD READING.
- H.1082 INVESTMENT COMPANIES-TAXATION. S-PASSED 3RD READING.
- H.1087 NONRESIDENT TUITION INCREASE.(6/17) S-REPTD FAV AS AMENDED.
- H.1102 HUSBAND-WIFE TORT ACTIONS. S-RE-REF COM ON JUDIC 1.
- H.1106 UNLAWFUL SCHOOL ABSENCES.(7/07) S-REPTD FAV.
- H.1117 SECOND MORTGAGE CHARGES.(7/01, 7/01) S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- #H.1127 PUBLIC SOLICITATION ACT.(6/23, 6/23, 7/09) H-FLOOR AMENDS ADOPTED; H-FAILED 2ND READING.
- H.1137 BULK TOBACCO BARNS SALES TAX.(6/25) S-REPTD FAV; S-PLACED CAL FOR JULY 13.
- H.1151 REDUCED PETROLEUM PRODUCTS FEES. H-REPTD FAV.
- H.1158 (J.RES.) CREATING GROWTH PATTERNS COMM'N.(7/07) S-REC FROM HOUSE; S-REF TO COM ON INTERGOV.
- H.1167 CHANGING FORMAL BID REQUIREMENTS.(7/07) S-REPTD FAV.
- H.1170 LICENSE PLATE COMMISSION FEE. H-REPTD FAV AS AMENDED.
- H.1172 EDUCATION EXPENSE GRANTS.(7/09) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H.1175 HIGHWAY PATROL AWARD.(7/07) S-REPTD FAV.
- H.1180 RESTRICT SINGLE SHOT-STATEWIDE. H-PLACED CAL FOR JULY 13.
- H.1181 CONST'L LIMIT-INCORP. CITIES.(6/25) S-REPTD FAV; S-PLACED CAL FOR JULY 13.
- H.1207 ECU MED. SCHOOL FUNDS. H-REPTD FAV AS AMENDED.
- H.1211 INVESTMENT COMPANY TAXES.(7/01) S-PASSED 3RD READING.
- H.1214 INSURANCE AGENCY RECORDS.(7/09) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED; H-LAST ACTION RECONSIDERED; H-RE-REF COM ON INSUR.
- H.1217 CLEAN WATER BONDS.(7/09) H-REP FAV COM SUB AS AMEND; H-COM SUBSTITUTE ADOPTED.
- H.1220 STERILIZATION OF MENTAL DEFECTIVES. H-RE-REF COM ON CALENDAR.
- #H.1222 6-MEMBER CIVIL JURY. H-POSTPONED INDEF.
- #H.1230 INTERSTATE ENVIRONMENTAL COMPACT.(6/30) RATIFIED CH. 805.
- H.1249 SENTENCE CREDIT-ANOTHER JURISD.. S-PASSED 2ND & 3RD READING.
- H.1262 INSUR. PREMIUM TAX EXEMPTION.(7/08) S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1272 LOCAL HUMAN RELATIONS PROGRAMS. H-POSTPONED TO JULY 12.
- H.1292 HAM VEHICLE LICENSES.(7/05) H-PASSED 3RD READING.
- H.1294 (J.RES.) PUBLIC HEALTH SERVICES-STUDY COMM'N. H-REPTD FAV AS AMENDED.
- #H.1331 AMEND CHAPTER 423,1971 SL. RATIFIED CH. 809.
- #H.1339 (J.RES.) ROLE OF NURSES STUDY COMM'N. RATIFIED RES. 97.
- H.1342 TOXIC VAPORS ACT. S-REC FROM HOUSE; S-REF TO COM ON JUDIC 1.

- H.1371 DEP'T OF PUB. INST. ENVIRON. FUNDS.(7/09) H-REPTD FAV COM
SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H.1374 DISSOLVING DIST. HEALTH DEP'TS. S-REC FROM HOUSE; S-REF TO
COM ON CALENDAR.
- #H.1379 PEAK CREEK RIGHT-OF-WAY. H-REPTD UNFAV.
- H.1380 SANITARY DIST. BOND INTEREST. S-PASSED 2ND READING.
- H.1414 ZOO CONSTRUCTION BONDS.(7/08) H-PASSED 3RD READING; S-REC
FROM HOUSE; S-REF TO COM ON APPROPRIATION.
- H.1429 (J.RES.) LRC STUDY OF TEACHER LICENSING. S-REPTD FAV.
- H.1432 MUNICIPAL GAS SYSTEMS. H-PASSED 2ND & 3RD READING.
- #H.1439 CITY AUTO LICENSE TAX INCREASE-2. H-FAILED 3RD READING.
- H.1440 FIRST OFFENDER EXPUNCTION.(7/08) S-REC FROM HOUSE; S-REF TO
COM ON JUDIC 1.
- #H.1441 ARREST BY OUT-OF-STATE OFFICERS. H-REPTD UNFAV.
- H.1447 CREDITABLE SERVICE-STATE RET.. H-REPTD FAV.
- H.1468 FLOOD,BEACH PROTECTION FUNDS. H-REPTD FAV.
- H.1472 CAPE FEAR RIVER PILOT FEES-2. S-REPTD FAV.
- H.1473 SETTING GOVERNOR'S PAY. H-REPTD FAV.
- H.1476 GROUP INSUR.-RETARDED CHILDREN. H-REPTD FAV.
- #H.1478 WASTE DISPOSAL AREA PLATS. H-REPTD UNFAV.
- H.1479 (J.RES.) SOLID WASTE DISPOSAL STUDY. H-REPTD FAV.
- H.1484 NO WEAPONS FOR INMATES. S-REC FROM HOUSE; S-REF TO COM ON
CALENDAR.
- #H.1485 (J.RES.) LRC STUDY GOV'T FORMS. H-REPTD UNFAV.
- #H.1486 RETIREMENT CREDIT-ARMED SERVICE. H-REPTD UNFAV.
- #H.1487 TOBACCO ADVISORY BOARD. H-REPTD UNFAV.
- #H.1488 \$5 MUNICIPAL PARKING PENALTIES. H-REPTD UNFAV.
- #H.1489 BEACH AREA INSURANCE COVERAGE. H-REPTD UNFAV.
- H.1495 CANCEL 1971 ELECTION-18 YR. VOTE. H-REPTD FAV.
- #H.1496 LIMIT DISCOUNT POINTS-FED. LOANS. H-REPTD UNFAV.
- H.1500 EASEMENTS TO FILL GRANTS. H-REPTD FAV.
- H.1505 ECU MED. SCHOOL ON BD. OF ANATOMY. H-REPTD FAV.
- #H.1507 SEAL ON PUBLIC VEHICLES. H-REPTD UNFAV.
- #H.1508 ABC PERMITS-LIST TO POLICE. H-REPTD UNFAV.
- #H.1509 PAYROLL DEDUCTION STUDY-LRC. H-REPTD UNFAV.
- #H.1512 SOLID WASTE DISPOSAL SITE ACQUIS.. H-REPTD UNFAV.
- H.1514 18 YEAR OLD TOBACCO WEIGHERS. H-REPTD FAV.
- H.1515 (J.RES.) GOV'TAL IMMUNITY STUDY-LRC. H-REPTD FAV.
- H.1518 (J.RES.) MEMORIALIZING CARLYLE.(7/08) S-REPTD FAV.
- H.1520 FAMILY COURT SERVICES. S-REPTD FAV; S-PASSED 2ND & 3RD
READING.
- H.1524 (H.RES.) TOBACCO ADVIS. BD.-STUDY. H-REPTD FAV.
- H.1527 (J.RES.) COMMEN. 2ND MARINE AIR WING ANNIV.. H-PASSED 2ND &
3RD READING; S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.
- H.1528 (J.RES.) HONORING TUSCARORA CHIEF LUCAS. H-PASSED 2ND & 3RD
READING; S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.

LOCAL BILLS

- S. 313 (RANDOLPH) ADDITIONAL SEAT OF COURT. H-REPTD UNFAV; H-REMOVED
FROM UNFAV CAL; H-RE-REF COM ON CALENDAR.

- #S. 472 (JONES) HUNTING FROM HIGHWAYS. H-REPTD UNFAV.
- S. 500 (HALIFAX) MORE MAGISTRATES. S-REPTD FAV.
- S. 684 (HENDERSON) HENDERSONVILLE CHARTER.(6/22) H-REPTD FAV.
- #S. 749 (HALIFAX) ROANOKE RAPIDS CITY LIMITS.(6/16, 6/21, 7/05)
S-PASSED 3RD READING; RATIFIED CH. 810.
- S. 835 (HALIFAX, WARREN) SCHOOL TAX REFUND. H-REPTD FAV.
- #S. 847 (HALIFAX) ROANOKE RAPIDS CITY LIMITS.(7/05) S-PASSED 3RD
READING; RATIFIED CH. 811.
- S. 854 (DURHAM) ELECTION OF MERGED SCHOOL BOARD. H-REPTD FAV.
- S. 858 (GUILFORD) GREENSBORO HOUS DEV CL'HOUSE COMM'N. H-REPTD FAV.
- S. 865 (GASTON) GASTONIA CHARTER. H-REPTD FAV.
- S. 879 (WAYNE) GOLDSBORO SCHL. BOND ELECTION. H-REPTD FAV; H-RE-REF
COM ON CALENDAR.
- S. 882 (SAMPSON) DEER KILLING FROM BOATS. H-REC FROM SENATE; H-REF
TO COM ON CALENDAR.
- S. 884 (BRUNSWICK) FOX HUNTING. H-REC FROM SENATE; H-REF TO COM ON
CALENDAR.
- S. 902 (YANCEY) BD. EDUCATION ELECTIONS. S-REPTD FAV AS AMENDED.
- S. 935 (BLADEN) ELIZABETHTOWN ABC VOTE. H-REC FROM SENATE; H-REF TO
COM ON CALENDAR.
- S. 937 (WAYNE) POLICE JURIDICITION-SEVEN SPRINGS. S-REPTD FAV.
- S. 946 (CASWELL) COUNTY MAGISTRATE INCREASE. S-REPTD FAV.
- S. 947 (CATAWBA) ELECTING HICKORY SCHOOL BOARD.(7/09) S-REPTD FAV
AS AMENDED; S-COM AMEND ADOPTED; S-PASSED 2ND READING.
- S. 950 (WAYNE) SCHOOL BOND ELECTION. S-REPTD FAV.

- H. 148 (GUILFORD) GREENSBORO ELECTION LAW REPEAL. H-REPTD FAV.
- H. 180 (CARTERET) MORE MAGISTRATES. S-REPTD FAV.
- #H. 562 (ROBESON) MARKING ELECTION BALLOT. RATIFIED CH. 807.
- H. 647 (MARTIN) MORE MAGISTRATES. S-REPTD FAV.
- H. 786 (NASH) ADDITIONAL MAGISTRATE. S-REPTD FAV.
- H.1059 (ROWAN) TAXATION OF MINERAL INTERESTS.(6/30) S-REPTD FAV.
- H.1307 (WARREN) SCHL BD-CTY.COMM'RS-ELECTION DIST.S.(7/05) S-PLACED
CAL FOR JULY 14.
- H.1391 (RICHMOND) FIRE SERVICE LIENS.(7/08) S-PASSED 2ND & 3RD
READING.
- H.1411 (DURHAM) PUBLIC FRANCHISES. S-REPTD FAV.
- H.1412 (RANDOLPH) RANDLEMAN ABC PROFITS. S-PASSED 2ND & 3RD READING.
- H.1419 (NEW HANOVER) TAX COLLECTION CONSOLIDATION.(7/09) S-REPTD
FAV AS AMENDED; S-COM AMEND ADOPTED; S-PASSED 2ND READING.
- H.1421 (MECKLENBURG) CHARLOTTE CHARTER-RETIREE INSUR..(7/02) S-PASSED
2ND READING.
- H.1442 (WAKE) CARY TOWN CHARTER.(6/30) S-REPTD FAV AS AMENDED.
- H.1443 (MECKLENBURG) FIREMEN'S RETIREMENT-CHARLOTTE. S-REPTD FAV.
- H.1455 (CLEVELAND) PATTERSON SPRINGS INCORPORATION. S-REPTD FAV.
- H.1460 (PAMLICO) MINNESOTT BEACH INCORPORATION.(7/07) S-REC FROM
HOUSE; S-REF TO COM ON CALENDAR.
- H.1463 (CRAVEN) COUNTY COMM'R ELECTIONS.(7/08, 7/08) S-REC FROM
HOUSE; S-REF TO COM ON CALENDAR.
- H.1464 (ROCKINGHAM) AMEND CH. 615,1971 SL. S-PASSED 2ND & 3RD
READING.

- H.1469 (MECKLENBURG) AMEND PINEVILLE CHARTER. H-REPTD FAV.
- H.1483 (COLUMBUS) WACCAMAW FISHING PERMITTED. S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1491 (BUNCOMBE) SCHOOL TAX REFERENDUM.(7/09) H-COM SUBSTITUTE ADOPTED.
- H.1492 (MOORE) BD. EDUC. PROPERTY TRANSFER. S-REPTD FAV.
- #H.1494 (CLEVELAND) BAIL BONDSMEN-2. H-REPTD UNFAV.
- H.1497 (ROWAN) EAST SPENCER TOWN BD. SALARIES. H-REPTD FAV.
- H.1498 (STANLY) SPELL IT STANLY. S-REPTD FAV.
- H.1517 (CATAWBA) ELECTING HICKORY SCHOOL BOARD. H-REPTD FAV AS AMENDED.

Next Session of House: 2:00 p.m., Monday, ¹⁰July 12, 1971.

Next Session of Senate: 7:30 p.m., Monday, July 12, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 129

-1277-

MONDAY, JULY 12, 1971

The report of today's 2:00 p.m. House Session follows immediately below. The report of the Senate Session and the evening House Session begins at the end of the House report.

HOUSE SESSION

PUBLIC BILLS INTRODUCED

H 1536 Zoo bonds debt service
Introducer: Ingram

APPROPRIATION
Sent to APPROPRIATION

"To appropriate funds for fiscal year 1972-73 for debt service of the State of North Carolina Zoological Park Facilities Bonds." Appropriates \$100,000 from General Fund as title indicates.

LOCAL BILLS INTRODUCED

None

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

- S 579 Transfer of recorded sounds (Iden. H 928, digested in Bulletin No. 85, p. 710; amendments digested in Bulletin No. 127, p. 1250)
Floor amend adopted in House 7/12/71 to provide that such transfer shall not violate this act, but may still be subject to civil liabilities, and to provide that the Federal Copyright Act must be complied with (rather than reasonably complied with).
- S 684 (Henderson) Hendersonville charter (digested in Bulletin No. 95, p. 830; amendments digested in Bulletin No. 115, p. 1085)
Amendment adopted in House 7/12/71 modifies provisions of charter so as to conform it to the provisions of H 59 (Uniform municipal election laws).
- S 865 (Gaston) Gastonia charter (digested in Bulletin No. 117, p. 1111)
Amendment adopted in House 7/12/71: (1) provides election of mayor and councilmen shall be "on the day provided by law in" 1973 (originally, "on Tuesday after the first Monday of May," 1973); and (2) deletes Sec. 6.02 ("Election precincts and voting places").

HOUSE BILLS

- H 203 Youth Advocacy Commission (Iden. S 135, digested in Bulletin No. 23, p. 151; amendment digested in Bulletin No. 32, p. 225)
Amendment adopted in House 7/12/71 modifies membership on Commission by deleting Director of Local Affairs and by adding two youth members (so that there are four youth members), requiring two to be male, two female; and by making a conforming amendment pertaining to initial staggering of the youth member terms.



- H 275 Tax classification-water companies (digested in Bulletin No. 28, p. 192)
Committee Substitute adopted in House 7/9/71 deletes waterworks company from present GS 105-355, adds new subdivision to GS 105-275 as it appears in H 169 (Machinery Act of 1971) exempting water companies, and deletes "water company" from GS 105-333(1) (property taxation of public utilities) as it appears in H 169.
Technical amendment adopted in House 7/12/71.
- H 286 Increase commission members' pay (digested in Bulletin No. 30, p. 205)
Amendment adopted in House 7/12/71 returning comm'n member per diem to \$7 (bill as introduced raised it to \$15) and providing that members to be reimbursed in full for convention registration fees (as introduced, allowed them \$50).
- H 700 Tort claims-local liability (digested in Bulletin No. 65, p. 498; Committee Substitute digested in Bulletin No. 95, p. 832)
Amendment adopted in House 7/9/71 provides act shall not apply to properly sworn and uniformed law enforcement officers acting within the scope of official duties, except for acts of omission or commission by officers in connection with the operation of motor vehicles.
- H 885 Drunk drivers treated (digested in Bulletin No. 82, p. 676; Committee Substitute digested in Bulletin No. 126, p. 1238; amendment digested in Bulletin No. 127, p. 1252)
Amendment adopted in House 7/12/71: (1) rewrites proposed rewrite of GS 20-179(a) to provide second conviction shall mean second conviction within 3 (originally, 10) years; and (2) that third conviction shall mean third conviction within 5 (originally, 10) years.
- H 1217 Clean water bonds (Iden. S 758; digested in Bulletin No. 106, p. 960; Committee Substitute digested in Bulletin No. 128, p. 1266)
Amendments adopted in House 7/12/71: (1) delete authorization to expend from Contingency Account (of bond proceeds) expenses incurred in sale and issuance of the bonds and notes; (2) allow bond proceeds to be used to provide state share in order to qualify for federal grant under any federal program involving wastewater treatment works projects (not just Federal Water Pollution Control Act); (3) provide that when purposes of act concluded, or by Jan. 1, 1983, in any event, uncommitted bond proceeds may be used for any use designated by General Assembly; (4) provide that in determining priorities of unallocated proceeds, each application to be judged against all others on file during the particular quarter (not just those filed that quarter); (5) make clarifying amendments.
- H 1382 (Joint Resolution) Opposing pollution dilution (digested in Bulletin No. 116, p. 10)
Amendment adopted in House 7/12/71 makes technical change.
- H 1517 (Catawba) Electing Hickory school board (Iden. S 947, digested in Bulletin No. 126, p. 1236)
Amendment adopted in House 7/12/71: (1) provides that if a vacancy (to be filled by the remaining Board members) occurs during first two years of term, person appointed to that vacancy to serve only until the next regular school board election, at which time a person shall be elected to the remainder of the term; if vacancy filled during last two years of term, there shall be no special election; (2) requires Bd. of Ed., in changing ward boundaries, to consult with County Bd. of Elections; and (3) makes technical change.

PUBLIC BILLS INTRODUCED

SENATE

S 961 LRC-environmental problems study
Introducers: Allen and Patterson
STUDY
Sent to CALENDAR

"Authorizing the Legislative Research Commission to study the need for legislation concerning certain environmental problems." As title indicates, directs study of following matters: septic tank wastes regulation, oil pollution abatement and clean-up, animal and poultry wastes, prevention and abatement of nutrient pollution, prevention and abatement of sedimentation and siltation, recovery by agencies providing water services of damages from persons polluting the water supply, reporting of industrial wastes and other wastes containing toxic materials, and other environmental protection or natural resource management subjects. Comm'n to report its findings and recommendations to 1973 General Assembly.

S 963 (Joint Resolution) Honoring Patsy Gail Wood
(Iden. H 1538)
Introducers: Bailey and Coggins
MISC RES
Passed three readings
and sent to House

"Honoring Patsy Gail Wood, Miss North Carolina." Identical with H 1538, digested in House section of today's Bulletin.

S 964 LSC-motor vehicle laws
Introducers: Jones and Crawford
STUDY, GS 20
Sent to CALENDAR

"Directing the Legislative Services Commission to study laws pertaining to motor vehicles." As title indicates, study to be to the end that motor vehicle laws be made more cohesive, more easily understood and less ambiguous, with report of findings and recommendations to be made to 1973 Senate.

S 965 Amending Ch. 783, 1971 SL
Introducers: Baugh and Moore
MECKLENBURG
Sent to CALENDAR

"An Act Amending Chapter 783 of the 1971 Session Laws." Amends Ch. 783 (H 1161) to: (1) permit building of facilities and other improvements under pedestrian walkways, (2) require provision be made for right of public access to pedestrian walkways consistent with security of walkways and adjoining improvements, and (3) specify minimum clearance of facilities and improvements over streets to be determined by city engineer and director of traffic engineering.

S 966 Legis. ret. costs funds (Iden H. 1540)
Introducer: Baugh
APPROPRIATION
Sent to APPROPN

"To appropriate funds for legislative retirement costs." Appropriates \$20,000 for each year of 1971-73 biennium as title indicates.

HOUSE

H 1537 Memorializing Royall
Introducers: Whichard and others
MISC RES
Passed three readings
and sent to Senate

"Honoring the life and memory of Kenneth Clairborne Royall." As title indicates.

H 1538 (Joint Resolution) Honoring Patsy Gail Wood MISC RES
(Iden. S 963) Passed three readings
Introducers: Twiggs and others and sent to Senate

"Honoring Patsy Gail Wood, Miss North Carolina of 1972." As title indicates.

H 1539 (Joint Resolution) Retirement credit, militaryserv. STUDY
Introducer: DeBruhl and others Sent to CALENDAR

"Creating a commission to study the credit for military service during our nation's wars allowable under all retirement systems for teachers or State Employees."
As title indicates directs comm'n to study Federal, State and other retirement systems for public employees insofar as their provisions for military service are concerned, to make recommendations to Gov. and General Assembly not later than Jan. 1, 1973, to be composed of 11 members appointed as described in act, and with costs of consultants, staff, expenses of members and printing to be paid from Contingency and Emergency Fund. Effective July 1, 1971.

H 1540 Legis. ret. costs funds (Iden. S 966) APPROPRIATION
Introducer: Messer and R. Jernigan Sent to CALENDAR

"To appropriate funds for legislative retirement costs." Identical with S 966, digested in the Senate section of today's Bulletin.

LOCAL BILLS INTRODUCED

SENATE

S 962 Hamilton Lakes zoning GUILFORD
Introducer: Moore (by request) Sent to CALENDAR

"To amend Chapter 419 Session Laws of 1957 by repealing Section 16 thereof."
Repeals section of Act providing for merger of town of Hamilton Lakes into city of Greensboro, which ratified an agreement between Greensboro and Hamilton Lakes pertaining to zoning in the town.

HOUSE

None

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 87 Firemen's death benefit (digested in Bulletin No. 15, p. 85; amendment digested in Bulletin No. 26, p. 176)
Amendments adopted in Senate 7/12/71: (1) limit definition of "killed in the line of duty" to cases where the death is the result of "extreme exertion or extreme activity" in duties and while on duty; and (2) makes act effective to deaths after July 1 (rather than January 1) 1971.

S 395 Senatorial districts (digested in Bulletin No. 62, p. 463)
Committee substitute adopted in Senate 7/12/71: Rewrites original bill to delete present GS 120-1 and to establish the following 27 NC Senatorial districts

and to apportion Senate seats as follows: Dist. 1--Beaufort, Bertie, Camden, Chowan, Currituck, Dare, Gates, Hertford, Hyde, Northampton, Pasquotank, Perquimans, Tyrell and Washington Counties: 2 Senators. Dist. 2--Carteret, Craven and Pamlico Counties: 1 Senator. Dist. 3--Onslow County: 1 Senator. Dist. 4--New Hanover and Pender Counties: 1 Senator. Dist. 5--Duplin, Jones and Lenoir Counties: 1 Senator. Dist. 6--Edgecombe, Halifax, Martin and Pitt Counties: 2 Senators. Dist. 7--Franklin, Nash, Vance, Warren and Wilson Counties: 2 Senators. Dist. 8--Greene and Wayne Counties: 1 Senator. Dist. 9--Johnston and Sampson Counties: 1 Senator. Dist. 10--Cumberland County: 2 Senators. Dist. 11--Bladen, Brunswick and Columbus Counties: 1 Senator. Dist. 12--Hoke and Robeson Counties: 1 Senator. Dist. 13--Durham, Granville and Person Counties: 2 Senators. Dist. 14--Harnett, Lee and Wake Counties: 3 Senators. Dist. 15--Alleghany, Ashe, Caswell, Rockingham, Stokes and Surry Counties: 2 Senators. Dist. 16--Chatham, Moore, Orange and Randolph Counties: 2 Senators. Dist. 17--Anson, Montgomery, Richmond, Scotland, Stanly and Union Counties: 2 Senators. Dist. 18--Alamance County: 1 Senator. Dist. 19--Guilford County: 3 Senators. Dist. 20--Forsyth County: 2 Senators. Dist. 21--Davidson, Davie and Rowan Counties: 2 Senators. Dist. 22--Cabarrus and Mecklenburg Counties: 4 Senators. Dist. 23--Alexander, Avery, Caldwell, Mitchell, Watauga, Wilkes and Yadkin Counties: 2 Senators. Dist. 24--Catawba, Iredell and Lincoln Counties: 2 Senators. Dist. 25--Burke, Cleveland, Gaston and McDowell Counties: 3 Senators. Dist. 26--Buncombe, Rutherford and Yancey Counties: 2 Senators. Dist. 27--Cherokee, Clay, Graham, Haywood, Henderson, Jackson, Macon, Madison, Polk, Swain and Transylvania Counties: 2 Senators.

S 745 Economics teaching funds (digested in Bulletin No. 103, p. 921)

Amendment adopted in Senate 7/12/71 rewrites appropriation section of the bill to provide that Dep't of Public Instruction is authorized and directed to provide for in-service training of social studies teachers, from funds provided for in-service training by 1971 General Assembly. (As introduced, appropriated \$37,000 in each year of biennium for this purpose.)

S 758 Clean Water bonds (Iden. H 1217; digested in Bulletin No. 105, p. 946; Committee Substitute digested in Bulletin No. 128, p. 1263)

Amendments adopted in Senate 7/12/71 identical to those adopted in House and digested in House Afternoon Session section of today's Bulletin.

S 902 (Yancey) Bd. education elections (digested in Bulletin No. 120, p. 1161)

Amendments adopted in Senate 7/12/71 provide that: (1) nomination of candidates by qualified voters in County be by districts, and (2) vote on candidates not be "at large," and nominee getting most votes in Dist. 1 and 2 nominees with most votes in Dist. 2 be elected for 4 yrs. each, 2 nominees with next most votes in Dist. 2 be elected for 2 yrs. each, beginning in 1972, and their successors to be elected for 4 yr. terms.

S 929 Amend Ch. 708, SL 1971-Medicaid (Iden. H 1506, digested in Bulletin No. 123, p. 1199)

Amendment adopted in Senate 7/12/71 to make scope of services and rate of payment provided in act effective August 1, 1971 and to declare "further intent" that every reasonable and effective means of controlling Medicaid costs and preventing abuse be employed by State and county depts. of social services.

S 934 (Senate Resolution) Consol. claims section-State (digested in Bulletin No. 123, p. 1200)

Amendment adopted in Senate 7/12/71 makes act effective as of July 1, 1971 (originally, upon ratification).

H 705 - Coastal protection, beach erosion (Iden. S. 431, digested in Bulletin No. 66, p. 505^{*}; Committee Substitute digested in Bulletin No. 97, p. 862)

Committee Substitute adopted in Senate 7/12/71 : (1) makes advances from Revolving Fund to county or municipality contingent upon availability of funds and subject to priorities set by Bd. of Water and Air Resources; (2) includes construction costs of local gov't, eliminating Bd.'s discretion; (3) removes exception to repayment made for works or projects judged not feasible by Bd.; (4) requires Bd., prior to making advance, not merely to determine but to advise county or municipal gov't. whether works or project would further beach erosion control, protect life and property, have reasonable prospect of federal aid, or place unreasonable financial burden on citizens; (5) gives Bd. discretion to require repayment in installments or lump sum; (6) requires any rescission of resolution of intent to be requested by county commissioners of Bd. and rescission to come within 60 days of receipt of commissioners' resolution; (7) when shoreline protection officer grants permit, authorizes owner of property damaged by action taken under permit or interested State agency to file appeal with county commissioners within 30 days; (8) eliminates as condition upon which C&D Dept. may deny application for dredge and fill permit a finding that dredging would have only limited value and usefulness for project; (9) adds proviso that act not impair riparian right of ingress and egress to navigable waters; (10) omits provision construing occurrence and extent of salt marsh peat at undisturbed surface as evidence of extent of salt marsh or part thereof; and (11) makes act effective upon ratification (rather than July 1).

H 914 - Increased assistant solicitors (digested in Bulletin No. 84, p. 699; Committee Substitute digested in Bulletin No. 96, p. 848)

Amendment adopted in House 7/12/71 increases number of assistants in judicial districts 10 and 27 to 6 (5 in Committee Substitute) and in district 30 to 2 (1 in Committee Substitute).

H 1004 - Huggins tort claim (digested in Bulletin No. 92, p. 786)

Amendment adopted in House 7/12/71 provides that payment to Mrs. Huggins to be made from Highway Fund, rather than General Fund.

H 1087 - Nonresident tuition increase (digested in Bulletin No. 96, p. 844)

Amendment adopted in Senate 7/12/71 makes following changes in bill:

(1) UNC at Asheville and Wilmington are included with UNC-Chapel Hill and NC State and other five year and "doctoral-granted" institutions and nonresident undergraduate tuition at such institutions is set at \$1,300 for academic year 1971-72 and \$1,800 thereafter; (2) tuition for nonresident undergraduates at Schools of Medicine and Dentistry at UNC-CH set at \$1800 for 1971-2 academic year and \$2,300 thereafter; (3) tuition for nonresident undergraduates at School of Public Health at UNC-CH set at \$1,400 for 1971-2 academic year and \$1,800 thereafter; (4) tuition for nonresident undergraduates at Elizabeth City State, Fayetteville State, Pembroke State and Winston-Salem State set at \$1,150 for 1971-2 academic year and \$1,550 thereafter; (5) tuition for nonresident graduate students at all public senior institutions set at \$1,300 for academic year 1971-2 and \$1,800 thereafter; (6) tuition for non-residents who are candidates for MD. and D.D.S. at UNC-CH and ECU set at \$1,800 for academic year 1971-2 and \$2,300 thereafter; (7) tuition for nonresidents who are candidates for degrees in Public Health at UNC-CH set at \$1,400 for academic year 1971-2 and \$1,800 thereafter; (8) tuition of nonresident students at community colleges set at \$400 for 1971-2 academic year and \$550 thereafter; (9) adds provision permitting bds. of trustees to lower nonresident tuition to amount no lower than NC resident rate for scholarship recipients and for participants in certain programs; and (10) states intent of act that allotment of all 1971-2 and 1972-3 appropriations to affected institutions will be adjusted in an amount equal to the out-of-state tuition realized in excess of the out-of-state tuition budgeted for each institution at the previously existing rates.

- H 1170 License plate commission fee (digested in Bulletin No. 103, p. 922)
Amendment adopted in House 7/12/71 reducing per plate fee to 30¢ (as introduced, 33¢).
- H 1176 School assignment restrictions (digested in Bulletin No. 103, p. 924)
Amendment adopted in House 7/12/71 to take out distances stated in act beyond which is created a rebuttable presumption that the travel is so great as to risk either the health or the education of the child and providing instead that the bd. of ed. of any system may establish maximum times or distances with travel a greater time or distance creating the presumption. Provides the Board to take into consideration the distances between schools and the extent transportation previously used in the system.
- H 1198 Financial responsibility changes (Iden. S 759) (digested in Bulletin No. 105, p. 948)
Committee Substitute adopted in House 7/12/71: (1) combines consumer protection provisions of H 981, 982, 999, 1189, 1190, and 1198; (2) eliminates proposals to do away with compulsory insurance and establish fee system for uninsured motorists (H 981), to set up file and use rating system (H 1347) and to permit \$250 deductible on property damage (H 1198); (3) retains cancellation and non-renewal, NC Automobile Plan (assigned risk), hearing and review, penalty, and other related provisions from bills listed above.
Amendments adopted in House 7/12/71: (1) make conviction of operating motor vehicle under "impairing" (rather than "Narcotic") drug a ground for policy cancellation and (2) make nothing in cancellation or nonrenewal section apply to policy written or written and renewed for consecutive period of 48 (rather than 36) months or longer.
- H 1207 ECU med. school funds (Iden. S 769; digested in Bulletin No. 106, p. 958)
Amendment adopted in House 7/12/71 makes technical changes.
- H 1209 Standing for standards (digested in Bulletin No. 106, p. 959)
Amendment adopted in House 7/12/71 making various clarifying amendments.
- H 1210 First mortgage lending limit (digested in Bulletin No. 106, p. 959; Committee Substitute digested in Bulletin No. 111, p. 1024)
Amendment adopted in House 7/12/71 lowers permissible interest on loans not exceeding \$7,500 to 10% (from 12%).
- H 1214 Insurance agency records (digested in Bulletin No. 106, p. 960; House Substitute digested in Bulletin No. 128, p. 1266)
Committee Substitute adopted in House 7/12/71: (1) limits requirement that information from records required to be kept under GS 58-26 be furnished on demand to Commissioner (rather than also to any other authorized employee described in GS 58-7.3), but retains authority of such employees to see "original records"; and (2) eliminates provision making violation of this section or rules and regulations prescribed by Commissioner under section a misdemeanor.
- H 1231 Exempt charitable insurers (digested in Bulletin No. 107, p. 973)
Amendment adopted in House 7/12/71 makes technical changes.

H 1247 - Tax credit-assist handicapped (digested in Bulletin No. 109, p. 993)

Amendment adopted in House 7/12/71 provides taxpayers claiming tax credit shall submit to Dep't of Insurance plans describing proposed changes and estimated cost of renovation, and that approval of Dep't shall be prerequisite for claiming tax credit.

H 1255 - (Joint Resolution) Diploma nursing school assist (digested in Bulletin No. 109, p. 994)

Amendment adopted in House 7/12/71 adding to the list of schools that have closed since 1959.

H 1442 - (Wake) Cary town charter (digested in Bulletin No. 118, p. 1135; amendment digested in Bulletin No. 121, p. 1180)

Amendment adopted in Senate 7/12/71 strikes Sec. 4.9 of charter ("Registration and registration books").

H 1443 - Firemen's retirement - Charlotte (digested in Bulletin No. 119, p. 1150)

Amendment adopted in Senate 7/12/71 adding to the bill provisions concerning planning and development in Mecklenburg County as follows: (1) amends GS 160A-360 (enacted by Ch. 698, 1971 SL) to provide that the powers of Art. 19 of Ch. 160A are to be exercised by municipalities in Meck. County only within their corporate limits and elsewhere county is to exercise the powers; (2) repeals local acts setting forth Charlotte's extra-territorial planning, zoning, subdivision and building inspection powers; (3) provides that whenever a zoning amendment or conditional or special use permit is proposed for area that would have been in a municipality's extra-territorial jurisdiction, before county commissioners can act they must refer the matter to the governing board of the appropriate city for comment and recommendation, and governing board has 15 days in which to so comment; and (4) provides that new portion added by amendment to take effect on Jan. 1, 1972.

H 1455 - (Cleveland) Patterson Springs incorporation (digested in Bulletin No. 120, p. 1161)

Amendment adopted in Senate 7/12/71 conforms charter to Uniform Municipal Election Law.

SENATE AND HOUSE

CALENDAR ACTION

JUL.12,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 87 FIREMEN'S DEATH BENEFIT.(2/17, 7/12) S-COM AMENDS ADOPTED;
S-PASSED 2ND & 3RD READING.
S. 159 1969 SELF-LIQUIDATING PROJECT. S-PASSED 2ND READING.
#S. 204 WILDLIFE PROTECTOR RETIREMENT.(4/20) H-PASSED 2ND & 3RD
READING; RATIFIED CH. 837.
S. 271 UNC-G DORM FINANCING. S-PASSED 2ND READING.
S. 272 APPALACHIAN STATE DORM FINANCING. S-PASSED 2ND READING.
S. 279 WORKMEN'S COMP.-PRISONERS.(4/01) S-RE-REF COM ON CALENDAR.
S. 335 TORT CLAIMS-STATE LIABILITY. S-PASSED 2ND & 3RD READING.
S. 395 SENATORIAL DISTRICTS.(6/30, 7/12) S-REPTD FAV COM SUB #2;
S-COM SUB #2 ADOPTED.
#S. 420 OIL POLLUTION-UTILITY SITES.(6/24, 7/06, 7/07) RATIFIED CH.
813.
#S. 445 NC PESTICIDE LAW OF 1971.(6/16) H-PASSED 3RD READING;
RATIFIED CH. 832.
S. 493 UNC-C STUDENT UNION FUNDS. S-PASSED 2ND READING.
S. 523 FARM LAND VALUATION-2.(7/09) S-PASSED 2ND READING.
#S. 579 TRANSFER OF RECORDED SOUNDS.(7/08, 7/08, 7/12) H-FLOOR AMEND
ADOPTED; H-TABLED.
S. 584 POST OFFICE AND BANK AT WCU. S-PASSED 2ND READING.
#S. 670 TRANSIT SYSTEM FRANCHISE TAX REDUC..(6/11) H-PASSED 3RD
READING; RATIFIED CH. 833.
S. 706 DMV INSPECTION FEE INCREASE.(7/08) S-PASSED 3RD READING.
S. 715 UNIFORM GENERAL ELECTION BALLOTS.(7/06) S-RE-REF COM ON
CALENDAR.
#S. 725 VARIABLE ANNUITIES SALESMEN.(6/24, 6/28) RATIFIED CH. 831.
#S. 734 REVISE PRIVATE DETECTIVE LAW.(7/02, 7/08) RATIFIED CH. 814.
#S. 743 CREATING METRO CITY WATER DISTRICTS.(7/05, 7/06) RATIFIED
CH. 815.
S. 745 ECONOMICS TEACHING FUNDS.(7/12) S-COM AMEND ADOPTED; S-PASSED
2ND & 3RD READING.
S. 758 CLEAN WATER BONDS.(7/09, 7/12) S-COM AMENDS ADOPTED; S-PASSED
2ND READING.
S. 783 STATE GOALS AND POLICY COUNCIL. H-PASSED 2ND & 3RD READING.
S. 788 TRAFFIC LAWS-PEMBROKE STATE UNIV.. H-PASSED 2ND & 3RD
READING.
S. 790 SCHOOL COUNSELOR-PRIVILEGED COMM..(7/08) S-FAILED TO CONCUR
H AMEND; S-CONF COM APPOINTED.
S. 799 CLASSIF. OF RESIDENCES-PROP. TAX.(7/09) S-PASSED 3RD READING.

- S. 815 BUS LICENSES. H-POSTPONED TO JULY 13.
- S. 857 MUNICIPAL UTILITIES.(7/09) S-PLACED ON CAL JULY 13.
- S. 909 STATE RET.-ADMIN. EXPENSES. S-PASSED 2ND & 3RD READING.
- S. 914 SETTING COUNCIL OF STATE PAY. S-PASSED 2ND & 3RD READING.
- S. 919 SETTING LT. GOVERNOR'S PAY-2. S-PASSED 2ND & 3RD READING.
- S. 925 (J.RES.) TAX STUDY COMM'N-DUTY REDEFINED. S-PASSED 3RD READING.
- S. 926 PERMANENT TAX STUDY COMM'N CREATED. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 929 AMEND CH. 708,SL 1971-MEDICAID.(7/12) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- S. 933 (J.RES.) LOCAL GOV'T STUDY COMM'N. S-REPTD FAV.
- #S. 934 CONSOL. CLAIMS SECTION-STATE.(7/12) S-COM AMEND ADOPTED; ADOPTED.
- S. 942 SPEC. SUP. COURT JUDGE-TERM. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 943 AMEND CH. 241,1971 SL. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 948 (J.RES.) HEARINGS ON SELECTION OF JUDGES. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 951 (J.RES.) MEMORIALIZING JAMES A. BRIDGER. S-PASSED 2ND & 3RD READING.
- S. 952 (J.RES.) MEMORIALIZING DR. DEWEY H. BRIDGER. S-PASSED 2ND & 3RD READING.
- S. 955 (J.RES.) JUDGES SURVIVOR & RET. BENEFITS. S-PASSED 2ND & 3RD READING.
- S. 956 (J.RES.) MEMORIALIZING ROBERT N. SIMMS,JR.. S-PASSED 2ND & 3RD READING.
- S. 957 AMENDING CH. 673,1971 SL. H-POSTPONED TO JULY 13.
- S. 960 REPEALING CHAPTER 562,1971 SL. S-REPTD FAV.
- S. 963 (J.RES.) HONORING PATSY GAIL WOOD. S-PASSED 2ND & 3RD READING.

- #H. 56 EQUAL EMPLOYMENT OPPORTUNITY.(7/02) RATIFIED CH. 823.
- #H. 59 UNIFORM MUNICIPAL ELECTION LAWS.(6/18, 6/22, 6/23, 7/08) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND; RATIFIED CH. 835.
- #H. 119 NEW INDUSTRY ENVIRONMENTAL IMPACT.(6/22, 7/08) RATIFIED CH. 824.
- H. 203 YOUTH ADVOCACY COMMISSION.(2/25, 7/12) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 220 CLERKS,MAGISTRATES' SALARIES. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H. 243 1967 SELF-LIQUIDATING PROJECT. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- #H. 245 HUMAN TISSUE SALE.(4/27, 4/29, 7/08) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND; RATIFIED CH. 836.
- H. 275 TAX CLASSIFICATION-WATER COMPANIES.(7/09, 7/12) H-COM SUBSTITUTE AMENDED; H-PASSED 2ND READING.
- H. 286 INCREASE COMMISSION MEMBERS' PAY.(7/12) H-COM AMENDS ADOPTED; H-PASSED 2ND & 3RD READING.

- #H. 392 ARSON LAW CHANGES.(5/25, 5/26, 7/08) RATIFIED CH. 816.
- #H. 437 INCOME TAX RATE REVISION. H-REPTD UNFAV.
- H. 533 FRANKLIN MAGISTRATES. S-PASSED 2ND & 3RD READING.
- H. 543 STATE EMPLOYEES-TRAVEL ALLOWANCE.(7/09) H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H. 649 ENVIRONMENTAL POLICY ACT.(5/28, 7/08) H-REC TO CONCUR IN COM SUB; H-REF TO COM ON CALENDAR.
- H. 700 TORT CLAIMS-LOCAL LIABILITY.(5/25, 7/06, 7/09) H-PASSED 3RD READING.
- H. 705 COASTAL PROTECTION,BEACH EROSION.(5/27, 5/31, 7/12) S-REPTD FAV COM SUB; S-COM SUB ADOPTED.
- #H. 737 NC PESTICIDE LAW OF 1971.(6/17) H-POSTPONED INDEF.
- H. 763 CREDIT FOR PREPAYMENT-TORTS.(6/30) S-REPTD FAV.
- H. 885 DRUNK DRIVERS TREATED.(7/07, 7/08, 7/12) H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING.
- H. 888 PUBLIC SCHOOL TENURE SYSTEM.(6/23, 6/23, 7/07, 7/07) S-REPTD FAV.
- #H. 890 PHYSICIANS' ASS'TS REGISTRATION.(6/04) RATIFIED CH. 817.
- #H. 902 AFFIDAVITS OF CHEMISTS. S-FAILED.
- #H. 903 INDUSTRIAL COMMISSION PROCEDURE.(5/28) RATIFIED CH. 818.
- H. 914 INCREASED ASSISTANT SOLICITORS.(5/26, 7/12) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H. 916 APPLY NC LAW TO FOREIGN INSURERS. H-REPTD FAV AS AMENDED.
- #H. 926 BARBER LAW-PENALTY CHANGE.(6/11, 7/08) RATIFIED CH. 819.
- #H. 928 TRANSFER OF RECORDED SOUNDS. H-POSTPONED INDEF.
- #H. 933 GRANTOR OMITTED-DEEDS.(5/31, 7/08) RATIFIED CH. 825.
- H. 947 PER DIEM-HANDICAPPED COMMITTEE. H-PASSED 2ND & 3RD READING.
- #H. 960 BARBER'S FEES. RATIFIED CH. 826.
- H. 964 TEACHERS' BARGAINING UNITS. H-POSTPONED TO JULY 15.
- #H. 981 END COMPULS. AUTO LIAB. INSUR.-2. H-REPTD UNFAV.
- #H. 982 AUTO LIAB. INSUR. REVISION-2. H-REPTD UNFAV.
- H. 988 CREATING LEGISLATIVE ETHICS BOARD. S-RE-REF COM ON CALENDAR.
- #H. 999 BALANCE SAFE DRIVER PLAN. H-REPTD UNFAV.
- H.1001 GIFTS TO MINORS CHANGES.(6/25) S-PASSED 2ND & 3RD READING.
- H.1004 HUGGINS TORT CLAIM.(7/12) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- #H.1046 MINORS WORKING WHERE BEER SERVED. S-REPTD UNFAV.
- H.1076 CREATING DRUG AUTHORITY.(6/04, 6/22, 7/08) H-REC TO CONCUR IN COM SUB; H-REF TO COM ON CALENDAR.
- #H.1082 INVESTMENT COMPANIES-TAXATION. RATIFIED CH. 820.
- H.1087 NONRESIDENT TUITION INCREASE.(6/17, 7/12) S-COM AMENDS ADOPTED; S-PASSED 2ND & 3RD READING; H-REC TO CONCUR S AMENDS; H-CONCURRED IN S AMENDS.
- H.1106 UNLAWFUL SCHOOL ABSENCES.(7/07) S-PASSED 2ND & 3RD READING.
- #H.1144 NON-DELIVERY INSURANCE POLICY. H-REPTD UNFAV.
- H.1151 REDUCED PETROLEUM PRODUCTS FEES. H-PASSED 2ND READING.
- H.1167 CHANGING FORMAL BID REQUIREMENTS.(7/07) S-PASSED 2ND & 3RD READING.
- H.1169 REPEALING GOV'T VEHICLE EXEMPTION. S-REPTD FAV.
- H.1170 LICENSE PLATE COMMISSION FEE.(7/12) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.

- H.1172 EDUCATION EXPENSE GRANTS.(7/09) S-REC FROM HOUSE; S-RE-REF COM ON EDUCATN.
- H.1175 HIGHWAY PATROL AWARD.(7/07) S-PASSED 2ND & 3RD READING.
- H.1176 SCHOOL ASSIGNMENT RESTRICTIONS.(7/12) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H.1183 PERSONALIZED CHECKS FOR FINES.(6/23) H-PASSED 2ND READING.
- H.1184 DRUNK DRIVERS CLINIC.(6/16) H-POSTPONED TO JULY 13.
- H.1185 BLOOD BANK RESTRICTION. H-PASSED 2ND & 3RD READING.
- #H.1189 UNINSURED MOTORIST FUND. H-REPTD UNFAV.
- #H.1190 ASSIGNED RISK INSUR REVISION-2. H-REPTD UNFAV.
- H.1193 FIRE INS. STAT. OF LIMITATION-2. H-PASSED 2ND & 3RD READING.
- H.1197 HEALTH BOARDS COMPENSATION. H-PASSED 2ND & 3RD READING.
- H.1198 FINANCIAL RESPONSIBILITY CHANGES.(7/12, 7/12) H-REP FAV COM SUB AS AMEND; H-COM SUBSTITUTE ADOPTED; H-COM SUBSTITUTE AMENDED.
- H.1207 ECU MED. SCHOOL FUNDS.(7/12) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H.1209 STANDING FOR STANDARDS.(7/12) H-COM AMEND ADOPTED; H-PASSED 2ND READING.
- H.1210 FIRST MORTGAGE LENDING LIMIT.(6/16, 7/12) H-COM SUBSTITUTE AMENDED; H-PASSED 2ND & 3RD READING.
- #H.1211 INVESTMENT COMPANY TAXES.(7/01) RATIFIED CH. 827.
- H.1214 INSURANCE AGENCY RECORDS.(7/09, 7/12) H-REPTD FAV COM SUB #2; H-COM SUB #2 ADOPTED.
- H.1217 CLEAN WATER BONDS.(7/09, 7/12) H-COM SUBSTITUTE AMENDED; H-PASSED 2ND READING.
- H.1226 DMV AND SBI COOPERATION. H-PASSED 2ND & 3RD READING.
- H.1231 EXEMPT CHARITABLE INSURERS.(7/12) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H.1232 ZOO AUTHORITY PERSONNEL. H-PASSED 2ND & 3RD READING.
- H.1236 RECKLESS DRIVING REVOCATION. H-POSTPONED TO JULY 13.
- H.1241 CEMETERIES FOR PRIVATE GAIN. H-PASSED 2ND & 3RD READING.
- H.1243 AMEND H 388. H-PASSED 2ND & 3RD READING.
- H.1244 MARKETING ASSOC. OFFICERS. H-PASSED 2ND & 3RD READING.
- H.1246 NO DISCRIMINATION-BLIND TEACHERS. H-PASSED 2ND & 3RD READING.
- H.1247 TAX CREDIT-ASSIST HANDICAPPED.(7/12) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- #H.1249 SENTENCE CREDIT-ANOTHER JURISD.. RATIFIED CH. 828.
- #H.1250 STATE GOALS AND POLICY COUNCIL. H-POSTPONED INDEF.
- H.1255 (J.RES.) DIPLOMA NURSING SCHOOL ASSIST.(7/12) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- #H.1257 REGULATING AUTO INSURANCE RATES-2. H-REPTD UNFAV.
- #H.1292 HAM VEHICLE LICENSES.(7/05) RATIFIED CH. 829.
- #H.1347 REGULATING AUTO INSURANCE RATES. H-REPTD UNFAV.
- #H.1362 UNIFORM MOTOR VEH. INSUR. ACT. H-REPTD UNFAV.
- #H.1363 NO FAULT AUTO LIAB. COMP.. H-REPTD UNFAV.
- #H.1364 COMPULSORY PERS. INJ. INSURANCE. H-REPTD UNFAV.
- H.1374 DISSOLVING DIST. HEALTH DEP'TS. S-REPTD FAV.
- H.1380 SANITARY DIST. BOND INTEREST. S-PASSED 3RD READING.
- H.1382 (J.RES.) OPPOSING POLLUTION DILUTION.(7/12) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H.1386 LICENSE FEE,PRACTIC. PSYCHOLOGISTS. S-REPTD FAV.

- H.1429 (J.RES.) LRC STUDY OF TEACHER LICENSING. S-PASSED 2ND & 3RD READING.
H.1432 MUNICIPAL GAS SYSTEMS. S-REC FROM HOUSE; S-REF TO COM ON PUB UTIL.
H.1472 CAPE FEAR RIVER PILOT FEES-2. S-PASSED 2ND READING.
H.1518 (J.RES.) MEMORIALIZING CARLYLE.(7/08) S-PASSED 2ND & 3RD READING.
#H.1520 FAMILY COURT SERVICES. RATIFIED CH. 830.
#H.1527 (J.RES.) COMMEN. 2ND MARINE AIR WING ANNIV.. RATIFIED RES. 98.
H.1528 (J.RES.) HONORING TUSCARORA CHIEF LUCAS. S-REPTD FAV.
H.1537 (J.RES.) MEMORIALIZING ROYALL. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 500 (HALIFAX) MORE MAGISTRATES. S-PASSED 2ND & 3RD READING.
S. 684 (HENDERSON) HENDERSONVILLE CHARTER.(6/22, 7/12) H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING.
#S. 835 (HALIFAX, WARREN) SCHOOL TAX REFUND. H-PASSED 2ND & 3RD READING; RATIFIED CH. 834.
S. 854 (DURHAM) ELECTION OF MERGED SCHOOL BOARD. H-PASSED 2ND READING.
S. 858 (GUILFORD) GREENSBORO HOUS DEV CL'HOUSE COMM'N. H-PASSED 2ND READING.
S. 865 (GASTON) GASTONIA CHARTER.(7/12) H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING.
S. 902 (YANCEY) BD. EDUCATION ELECTIONS.(7/12) S-COM AMENDS ADOPTED; S-PASSED 2ND & 3RD READING.
S. 937 (WAYNE) POLICE JURIDICTION-SEVEN SPRINGS. S-PASSED 2ND & 3RD READING.
S. 946 (CASWELL) COUNTY MAGISTRATE INCREASE. S-PASSED 2ND & 3RD READING.
S. 947 (CATAWBA) ELECTING HICKORY SCHOOL BOARD.(7/09) S-PASSED 3RD READING.
S. 950 (WAYNE) SCHOOL BOND ELECTION. S-PASSED 2ND READING.
S. 958 (JACKSON) PAY RAISE-BD. OF COMM'RS CH'RMAN. S-REPTD FAV.

H. 148 (GUILFORD) GREENSBORO ELECTION LAW REPEAL. H-PASSED 2ND & 3RD READING.
H. 180 (CARTERET) MORE MAGISTRATES. S-PASSED 2ND & 3RD READING.
H. 647 (MARTIN) MORE MAGISTRATES. S-PASSED 2ND & 3RD READING.
H. 786 (NASH) ADDITIONAL MAGISTRATE. S-PASSED 2ND & 3RD READING.
H.1059 (ROWAN) TAXATION OF MINERAL INTERESTS.(6/30) S-PASSED 2ND READING.
H.1215 (WATAUGA) PUBLIC SCHOOL & COLLEGE COOP.. H-PASSED 2ND & 3RD READING.
H.1391 (RICHMOND) FIRE SERVICE LIENS.(7/08) H-REC TO CONCUR IN COM SUB; H-REF TO COM ON CALENDAR.
H.1411 (DURHAM) PUBLIC FRANCHISES. S-PASSED 2ND READING.
#H.1412 (RANDOLPH) RANDLEMAN ABC PROFITS. RATIFIED CH. 821.

- H.1419 (NEW HANOVER) TAX COLLECTION CONSOLIDATION.(7/09) S-PASSED
3RD READING.
- H.1421 (MECKLENBURG) CHARLOTTE CHARTER-RETIREE INSUR..(7/02) S-PLACED
ON CAL JULY 14.
- H.1442 (WAKE) CARY TOWN CHARTER.(6/30, 7/12) S-COM AMEND ADOPTED;
S-PASSED 2ND READING.
- H.1443 (MECKLENBURG) FIREMEN'S RETIREMENT-CHARLOTTE.(7/12) S-FLOOR
AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- H.1455 (CLEVELAND) PATTERSON SPRINGS INCORPORATION.(7/12) S-FLOOR
AMENDS ADOPTED; S-PASSED 2ND READING.
- H.1460 (PAMLICO) MINNESOTT BEACH INCORPORATION.(7/07) S-REPTD FAV.
- H.1463 (CRAVEN) COUNTY COMM'R ELECTIONS.(7/08, 7/08) S-REPTD FAV;
S-RE-REF COM ON CALENDAR.
- #H.1464 (ROCKINGHAM) AMEND CH. 615,1971 SL. RATIFIED CH. 822.
- H.1469 (MECKLENBURG) AMEND PINEVILLE CHARTER. H-PASSED 2ND READING.
- H.1483 (COLUMBUS) WACCAMAW FISHING PERMITTED. S-REPTD FAV.
- H.1491 (BUNCOMBE) SCHOOL TAX REFERENDUM.(7/09) H-PASSED 2ND READING.
- H.1492 (MOORE) BD. EDUC. PROPERTY TRANSFER. S-PASSED 2ND & 3RD
READING.
- H.1497 (ROWAN) EAST SPENCER TOWN BD. SALARIES. H-PASSED 2ND & 3RD
READING; S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1498 (STANLY) SPELL IT STANLY. S-PASSED 2ND & 3RD READING.
- H.1517 (CATAWBA) ELECTING HICKORY SCHOOL BOARD.(7/12) H-COM AMEND
ADOPTED; H-PASSED 2ND & 3RD READING.

Next Session of House: 10:00 a.m., Tuesday, July 13, 1971.

Next Session of Senate: 12 noon, Tuesday, July 13, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 130

-1291-

TUESDAY, JULY 13, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 967 Resident students-tuition purposes GS 116
Introducer: Bowles Sent to CALENDAR

"Providing that students who are legal residents of this State for 15 years or more shall be deemed residents for tuition purposes." Amends GS 116-144 ("Higher fees from nonresidents may be charged") to provide that no student who has at any time been a continuous resident of NC for 15 years or more may be charged higher than resident tuition.

S 969 Repealing Ch. 585, 1971 SL GS 48A
Introducers: Bailey and others Sent to COURTS

"To repeal Chapter 585 of the Session Laws of 1971 relating to the age of majority." As title indicates, effective July 5, 1971. (Ch. 585 repealed common law definition of minor and stated that a minor is someone who has not reached the age of 18.)

HOUSE

H 1542 Amending Ch. 806, 1971 SL GS 105
Introducer: Bumgardner Passed three readings
and sent to Senate

"To make technical corrections in Chapter 806 of the Session Laws of 1971." Amends GS 105-344, -370, -371, and -372 as they appear in Ch. 806 (Machinery Act of 1971) to change interest rate from 12% to 9%. Amends Sec. 4 of Ch. 806 to change reference to GS 105-296 to GS 105-286. Effective July 1, 1971.

H 1543 Concealed weapons for police GS 14
Introducers: Vogler and others Sent to CALENDAR

"To allow law enforcement officers to carry concealed weapons at all times." Amends GS 14-269 as title indicates.

H 1544 (House Resolution) State Textbook Comm'n-LRC STUDY, GS 115
Study Sent to CALENDAR
Introducers: Speed and others

"Directing the Legislative Research Commission to study the operation and practices of the State Textbook Commission." As title indicates, with findings and recommendations to be reported to 1973 House.



H 1545 Maintaining water levels-lakes
Introducer: Davis

GS 143
Sent to CALENDAR

"To provide for the maintenance of suitable water levels in certain lakes and reservoirs." Adds new GS 143-213.3(a)(13) providing for Board of Water and Air Res. to regulate standards of water levels and rates of withdrawal for lakes and reservoirs upon determination such levels or withdrawals have a substantial impact upon the environment or water resources of the State or upon the public health, safety and welfare. Lists factors to be considered in making such determination. Forbids deviation from minimum standards except upon specific permission of Bd. following written application therefor. Makes determinations and regulations made and adopted by Bd. pursuant to act subject to public hearing provisions of GS 143-215.4(d).

H 1546 Amending Ch. 708, 1971 SL
Introducer: Stewart

APPROPRIATION
Sent to APPROPRIATION

"To amend Chapter 708 of the Session Laws of 1971 (S.B. 33 ratified June 30, 1971) to eliminate an inequity with respect to the payment for dental services under medicaid." Amends Appropriations bill to delete on p. 19 from schedule of payment rates (at 90% of allowable usual charges) for dental services "fillings, extractions, prophylaxis & fluoride, x-rays, relief of pain and denture repairs."

H 1547 (Joint Resolution) Consultants-Dep't of Admin.
study
Introducer: Watkins

STUDY, GS 143
Sent to CALENDAR

"Authorizing and directing the Department of Administration to inquire into the use of consultants in State Government, and to develop economical and efficient procedures for such use." As title indicates, with report of findings and actions to be made to 1973 General Assembly. Makes usual directions as to conduct of study, except does not provide for use of consultants.

H 1550 Amending H 1087-nonres. tuition
Introducers: Bryan and High

GS 116
Sent to CALENDAR

"Pertaining to non-resident tuition at the State's institutions of higher learning." Deletes from Sec. 6 of House Bill 1087 (as it reads following concurrence by the House in amendments adopted by the Senate 7/12/71) the power of the boards of trustees of individual institutions to award special tuition rates not lower than the NC resident rate "where an individual is solicited for a special talent and is thereby awarded a scholarship, fellowship or assistantship."

H 1551 (Joint Resolution) Auto insurance study comm'n
Introducers: Leatherman and Rhyne

STUDY
Sent to CALENDAR

"Creating a new Governor's Study Commission on Automobile Insurance and Rates." New commission instructed to make thorough and comprehensive study of all aspects of auto insurance in NC. Specific duty to study "no fault" laws and practices, motor vehicle laws as they relate to auto insurance, training and qualifications of agents and adjustors premium financing of policies, group insurance, direct and indirect writing, accounting practices, and rate-making considerations, profits, cancellation and non-renewal procedures and practices, placement on assigned risk, centralized facility and reinsurance pool for assigned risk. Eleven member commission to be composed of 7 members representing State's insurance purchasing public (including 2 with legislative experience in House, 2, in Senate); 1, representing companies writing auto insurance in State; 1, representing insurance agents in State; 1, representing adjustors doing business in State; and 1 trial lawyer engaged in insurance litigation in State. Comm'n to submit written report and

recommendations, including legislation, on or before Nov. 30, 1972, or as soon after as practicable to Gov. for transmission to General Assembly. Comm'n authorized to employ professional and clerical staff and assistants. Expenses to be paid from Contingency and Emergency Fund, at \$7 per day and reimbursement for travel and subsistence. State departments and agencies and NC Rating Bureau upon request to provide Comm'n with information and assistance. Comm'n to terminate upon filing report and recommendations with 1973 General Assembly.

LOCAL BILLS INTRODUCED

SENATE

S 968 Charlotte firemen's ret. MECKLENBURG
Introducers: Knox, Baugh and Moore Sent to CALENDAR

"To amend Chapter 132 of the Session Laws of 1969, and Chapter 575 of the Session Laws of 1965, relating to the authority of the Charlotte Firemen's Retirement System to invest in stock." As title indicates, authorizing system to invest up to 45% of total investments in common and preferred stocks (now 30%) and authorizing system to invest up to 30% of total investments in stock of a single corporation (now 1 1/2%).

S 970 Gift of lands for deaf school (Iden. H 1548) GUILFORD
Introducers: McLendon and Bowles Sent to CALENDAR

"To authorize the County Commissioners of Guilford County to convey any lands owned by Guilford County to the State of North Carolina with or without consideration for the construction of a State school for the deaf." Identical with H 1548, digested in the House section of today's Bulletin.

HOUSE

H 1541 W. Jefferson & Jefferson ABC stores ASHE
Introducer: Gentry Sent to CALENDAR

"Authorizing the establishment of a town liquor control store in the Towns of West Jefferson and Jefferson upon a vote of the people and providing for the allocation of the net proceeds from the operation of such store." Bill substantially identical with S 270, digested in Bulletin No. 42, p. 305 and S 478, digested in Bulletin No. 72, p. 571, except for distribution of net profits from stores, which is as follows: 5% to each town for law enforcement; 40% to West Jefferson and 30% to Jefferson for any authorized town purposes; and 20% to Ashe County for any authorized county purpose.

H 1548 Gift of land for deaf school (Iden. S 970) GUILFORD
Introducer: Short Sent to CALENDAR

"To authorize the County Commissioners of Guilford County to convey any lands owned by Guilford County to the State of North Carolina with or without consideration for the construction of a State school for the deaf." Conveyance to be for sole purpose of construction and operation of such school.

H 1549 Sanford firemen's pension fund
Introducer: Love

LEE
Sent to CALENDAR

"To establish a supplementary pension fund for firemen in the City of Sanford."
Establishes Sanford Firemen's Supplementary Pension Fund, administered by three-man board of trustees. Transfers all funds in Sanford Firemen's Relief Fund in excess of \$500 to pension fund, and provides for eligibility for and schedule of benefits. Provides for details of administration of the fund.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 120 Property tax relief to aged (Iden. H 185, digested in Bulletin No. 22, p. 143)
Amendment adopted in House 7/13/71: (1) conforms bill to Ch. 806 (Machinery Act of 1971); (2) requires that spouse (if living) of owner of residence also reside there in order for residence to be eligible for classification, and provides that annual disposable income of owner and spouse (if living), combined, may not exceed \$3,500 if classification is to be allowed; (3) raises minimum age of owner, to qualify his property for classification, to 65 (from 60); (4) redefines "owner" to be the person with the "entire legal or equitable title," subject to encumbrances, e.g., easements and removable liens; (5) removes direction to tax supervisor to enter the classification upon the tax books, when satisfactory proof of eligibility is made.

S 857 Municipal utilities (digested in Bulletin No. 116, p. 1092)
Amendments adopted in Senate 7/13/71: (1) delete provisions requiring city to make payments in lieu of taxes to State for services provided outside corporate limits; and (2) make act inapplicable to municipalities in counties of Anson, Cabarrus, Duplin, Edgecombe, Greene, Halifax, Jones, Lenoir, Pitt, Stanly, Union, and Warren.

HOUSE BILLS

H 275 Tax classification-water companies (digested in Bulletin No. 28, p. 192; Committee Substitute digested in Bulletin No. 128, p. 1265)
Amendment adopted in House 7/13/71 changes effective date to ratification (rather than Jan. 1, 1971).

H 294 Drug law revision (digested in Bulletin No. 31, p. 210; Committee Substitute digested in Bulletin No. 102, p. 914)
Amendments to Committee Substitute adopted in Senate 7/13/71: (1) specify original prison term not to be increased by period of special probation term for violation of probation under Article; (2) eliminate authorization to NC Drug Authority to charge reasonable fees for registration and control of manufacture, distribution, and dispensing of controlled substances in State; (3) change requirement in emergency drug dispensing by oral prescription to writing and filing by (instead of "with") dispensing agent; and (4) eliminate unlawfulness of dispensing with intent to manufacture or dispense controlled substance listed in any Schedule in the Article.

H 705 Coastal protection, beach erosion (Iden. S 431, digested in Bulletin No. 66, p. 505)
H Committee Substitute digested in Bulletin No. 97, p. 862; S Committee Substitute digested in Bulletin No. 129, p. 1282)
Technical amendments to S Committee Substitute adopted in Senate 7/13/71.

H 885 Drunk drivers treated (digested in Bulletin No. 82, p. 676; Committee Substitute digested in Bulletin No. 126, p. 1238; amendments digested in Bulletins No. 127 and 129 at pages 1252 and 1278, respectively)

Amendment adopted in House 7/13/71 reduces minimum prison term for first offense from 30 to 10 days.

H 916 Apply NC law to foreign insurers (digested in Bulletin No. 85, p. 709)

Amendment adopted in House 7/13/71 makes effective date of act Jan. 1, 1973, rather than July 1, 1971.

H 1194 Labeling apples (digested in Bulletin No. 105, p. 947; amendment digested in Bulletin No. 122, p. 1193)

Amendment adopted in Senate 7/13/71 makes act effective July 1, 1972 (rather than 1971).

H 1198 Financial responsibility changes (Iden. S 759, digested in Bulletin No. 105, p. 948; Committee Substitute and amendments digested in Bulletin No. 129, p. 1283)

Amendments adopted in House 7/13/71: (1) require (rather than authorize) Ins. Comm'r to establish rates for assigned risk liability policies higher than approved manual rates; (2) require suspension or revocation of driver's license for more than 31 (rather than 30) days for cancellation or non-renewal of auto insurance policy; (3) require operator other than insured to both reside in same household with insured and customarily operate auto insured under such policy (rather than "either . . . or") in order for cancellation or non-renewal provisions in act to apply; and (4) delete theft or unlawful taking of motor vehicles as reasons for refusing to renew auto insurance policy.

H 1267 Bds. of elections-terms of office (digested in Bulletin No. 110, p. 1006)

Amendment adopted in House 7/13/71 rewrites bill to give each political party chairman in a county right to recommend six resident registered voters in each precinct for appointment as registrar and election judges in that precinct. Recommendees must have good moral character and be able to read and write. County bd. of elections must make precinct appointments from recommended names, if received prior to seventh Saturday before primary, but is not bound by recommendations if less than five names recommended.

H 1276 (Forsyth, Orange) Registered instruments index (digested in Bulletin No. 111, p. 1020)

Amendment adopted in House 7/13/71 adds Buncombe to counties covered by act.

H 1293 Housing authority investments (digested in Bulletin No. 111, p. 1019)

Clarifying amendment adopted in House 7/13/71.

H 1294 (Joint Resolution) Public health services-study comm'n (digested in Bulletin No. 111, p. 1019)

Amendment adopted in House 7/13/71: (1) changes word "financing" to "delivery" in name of comm'n; (2) changes membership of comm'n from 15 to 11, with 7 (originally, 11) appointed by Governor, and to include one (was, two) "consumer," one (was, two) physicians in private practice, and one (was, three) chosen at discretion of Governor.

- H 1299 Bds. of education contracts (Iden. S 856; digested in Bulletin No. 112, p. 1033.)
Amendments adopted in House 7/13/71: (1) prohibit local school bds. from entering into contracts for erection of school bldgs, where public funds are being expended, unless the site is owned in fee simple by the school board; (2) state that GS Ch. 133 ("Public Works") is to apply to all agreements entered into pursuant to act; (3) provide that as condition precedent to entering leases under act, school bd. must take bids for construction and financing or leasing costs in accord with GS 143-129, based upon plans prepared in accord with GS 133-1.1 and approved by State Sup't as to structural and functional soundness, safety and sanitation, and in addition that all buildings must be inspected and approved by local sup't and the architect; (4) provide that the section, as amended, is not to prohibit school bds. from repairing bldgs. with help of regular employees; and (5) make technical change.
- H 1383 (Joint Resolution) Prop. tax exempt. study comm'n (digested in Bulletin No. 116, p. 1094)
Amendment adopted in House 7/13/71 changes date of submission of Comm'ns report to Gov. from Oct. 1, 1972 to Dec. 1, 1972.
- H 1422 Municipal elections and land use (digested in Bulletin No. 117, p. 1110).
Technical amendment adopted in House 7/13/71 inserts 1971 SL Ch. No. 698 for blank in references to H 153, adopted earlier in session.
- H 1436 Amend Raleigh charter (digested in Bulletin No. 118, p. 1136; amendments digested in Bulletin No. 121, p. 1180).
Committee Substitute adopted in Senate 7/13/71 rewrites Sec. 104 and rewrites the original bill's rewrite of Sec. 105 of the city charter. New Sec. 104 authorizes city council to acquire by condemnation (GS Art. 9, Ch. 136) land, prop. rights, privileges, and easements required for water or sewer system. New Sec. 105 spells out charter provisions relating to streets, sidewalks and driveways.

SENATE AND HOUSE

CALENDAR ACTION

JUL.13,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 107 LIQUOR LAW REVISION.(3/24, 3/25, 6/29) H-CONF REPORT #2 ADOPTED; S-PLACED CAL FOR JULY 14.
S. 120 PROPERTY TAX RELIEF TO AGED.(5/31, 7/13) H-REPTD FAV AS AMENDED; H-COM AMEND ADOPTED.
S. 159 1969 SELF-LIQUIDATING PROJECT. S-PASSED 3RD READING; H-REC FROM SENATE.
S. 243 SUBCONTRACTORS' LIENS REWRITE. S-REPTD FAV.
S. 271 UNC-G DORM FINANCING. S-PASSED 3RD READING; H-REC FROM SENATE.
S. 272 APPALACHIAN STATE DORM FINANCING. S-PASSED 3RD READING; H-REC FROM SENATE.
S. 279 WORKMEN'S COMP.-PRISONERS.(4/01) S-REPTD FAV.
S. 335 TORT CLAIMS-STATE LIABILITY. H-REC FROM SENATE; H-REF TO COM ON CALENDAR; H-RECALLED FROM COM; H-PLACED CAL FOR JULY 14.
S. 395 SENATORIAL DISTRICTS.(6/30, 7/12) S-FLOOR AMEND FAILED; S-PASSED 2ND READING.
S. 432 WATER-AIR MANAGEMENT,CONTROLS.(6/29, 7/05, 7/07) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
S. 493 UNC-C STUDENT UNION FUNDS. S-PASSED 3RD READING; H-REC FROM SENATE.
S. 502 AMENDING ANATOMICAL GIFT ACT.(6/22, 7/08) S-CONF REPORT ADOPTED; H-CONF REPORT ADOPTED.
S. 523 FARM LAND VALUATION-2.(7/09) S-PASSED 3RD READING; H-REC FROM SENATE; H-REF TO COM ON FINANCE.
S. 539 CERTAIN STATE AGENCIES ABOLISHED.(6/25) S-RECALLED FROM HOUSE; H-RECALLED FROM COM; H-RETURNED TO SENATE.
S. 584 POST OFFICE AND BANK AT WCU. S-PASSED 3RD READING; H-REC FROM SENATE.
S. 628 PUB. BLDGS.,SYSTEMS MGMT. LAWS.(6/14) H-RECALLED FROM COM; H-RE-REF COM ON CALENDAR.
S. 706 DMV INSPECTION FEE INCREASE.(7/08) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
S. 720 DEFICIENCY JUDGMENT ELECTION. S-REPTD FAV.
S. 724 SHERIFF'S LEGAL DEFENSE.(7/08, 7/08) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
S. 758 CLEAN WATER BONDS.(7/09, 7/12) S-PASSED 3RD READING; H-REC FROM SENATE.
#S. 783 STATE GOALS AND POLICY COUNCIL. RATIFIED CH. 838.
#S. 784 SPOILED SHELLFISH SEIZURE. H-POSTPONED INDEF.

- #S. 788 TRAFFIC LAWS-PEMBROKE STATE UNIV.. RATIFIED CH. 839.
- S. 789 FIRST MORTGAGE LENDING LIMIT.(7/07) S-PLACED CAL FOR JULY 14.
- S. 790 SCHOOL COUNSELOR-PRIVILEGED COMM..(7/08) H-CONF COM APPOINTED.
- S. 815 BUS LICENSES. H-PASSED 2ND READING.
- S. 853 (J.RES.) STUDENT MORALITY.(7/05) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 855 DETENTION OF MENTALLY ILL.(7/08) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- #S. 857 MUNICIPAL UTILITIES.(7/09, 7/13) S-COM AMENDS ADOPTED; S-FAILED 2ND READING.
- #S. 862 POWER PLANT SITING.(6/29, 7/09, 7/09) H-POSTPONED INDEF.
- S. 863 (J.RES.) 'CONVICTION' DEFINITION. S-REPTD FAV.
- #S. 900 FAIR PLAN EXTENSION. S-REPTD UNFAV.
- S. 905 NO PYRAMID OR CHAIN SCHEMES.(7/08, 7/09) H-REC FROM SENATE.
- #S. 906 INS. PREM.-CREDIT CARDS. S-REPTD UNFAV.
- S. 909 STATE RET.-ADMIN. EXPENSES. H-REC FROM SENATE; H-PLACED CAL FOR JULY 14.
- #S. 912 PRENEED BURIAL CONTRACT DEFINED. S-REPTD UNFAV.
- S. 914 SETTING COUNCIL OF STATE PAY. H-REC FROM SENATE; H-PLACED CAL FOR JULY 14.
- S. 919 SETTING LT. GOVERNOR'S PAY-2. H-REC FROM SENATE; H-PLACED CAL FOR JULY 14.
- S. 925 (J.RES.) TAX STUDY COMM'N-DUTY REDEFINED. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 933 (J.RES.) LOCAL GOV'T STUDY COMM'N. S-PASSED 2ND & 3RD READING.
- S. 936 (J.RES.) CREATING STATE FAIR COMM'N. S-REPTD FAV AS AMENDED.
- S. 941 CODIFYING CERTAIN 1971 ACTS. S-REPTD FAV AS AMENDED.
- S. 951 (J.RES.) MEMORIALIZING JAMES A. BRIDGER. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 952 (J.RES.) MEMORIALIZING DR. DEWEY H. BRIDGER. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 955 (J.RES.) JUDGES SURVIVOR & RET. BENEFITS. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 956 (J.RES.) MEMORIALIZING ROBERT N. SIMMS, JR.. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 957 AMENDING CH. 673, 1971 SL. H-PASSED 3RD READING.
- S. 960 REPEALING CHAPTER 562, 1971 SL. S-PASSED 2ND & 3RD READING.
- S. 961 LRC-ENVIRONMENTAL PROBLEMS STUDY. S-REPTD FAV.
- S. 963 (J.RES.) HONORING PATSY GAIL WOOD. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 964 LSC-MOTOR VEHICLE LAWS. S-REPTD FAV.
- H. 203 YOUTH ADVOCACY COMMISSION.(2/25, 7/12) S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H. 210 SLOW VEHICLE REFLECTORS.(3/30, 3/30, 3/31, 7/08) S-PLACED CAL FOR JULY 14.
- H. 220 CLERKS, MAGISTRATES' SALARIES. S-REPTD FAV.
- H. 243 1967 SELF-LIQUIDATING PROJECT. S-REPTD FAV.

- H. 275 TAX CLASSIFICATION-WATER COMPANIES.(7/09, 7/12, 7/13) H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING.
- H. 285 CITIZENSHIP RESTORED.(7/02, 7/07) S-REPTD FAV AS AMENDED.
- H. 286 INCREASE COMMISSION MEMBERS' PAY.(7/12) S-REC FROM HOUSE; S-REF TO COM ON APPROPRI.
- H. 294 DRUG LAW REVISION.(6/03, 6/07, 7/09, 7/13) S-COM AMENDS ADOPTED; S-PASSED 2ND READING.
- H. 375 VALIDATING FORECLOSURE DATES.(7/06) S-REPTD FAV.
- H. 393 SUBCONTRACTORS' LIENS REWRITE.(6/25, 6/25) S-REPTD FAV.
- #H. 533 FRANKLIN MAGISTRATES. RATIFIED CH. 841.
- H. 543 STATE EMPLOYEES-TRAVEL ALLOWANCE.(7/09) S-REPTD FAV.
- H. 705 COASTAL PROTECTION, BEACH EROSION.(5/27, 5/31, 7/12, 7/13) S-FLOOR AMEND ADOPTED; S-PASSED 2ND READING.
- H. 763 CREDIT FOR PREPAYMENT-TORTS.(6/30) S-PASSED 2ND & 3RD READING.
- H. 863 STATE GOV'T REORGANIZATION.(6/21, 6/23, 6/24, 6/30) S-CONF REPORT ADOPTED; H-CONF REPORT ADOPTED.
- H. 864 CERTAIN STATE AGENCIES ABOLISHED.(6/30) S-REPTD FAV.
- H. 885 DRUNK DRIVERS TREATED.(7/07, 7/08, 7/12, 7/13) H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING.
- H. 888 PUBLIC SCHOOL TENURE SYSTEM.(6/23, 6/23, 7/07, 7/07) S-PASSED 2ND READING.
- H. 916 APPLY NC LAW TO FOREIGN INSURERS.(7/13) H-COM AMEND ADOPTED; H-PASSED 2ND READING.
- H. 947 PER DIEM-HANDICAPPED COMMITTEE. S-REC FROM HOUSE; S-REF TO COM ON APPROPRI.
- #H.1001 GIFTS TO MINORS CHANGES.(6/25) RATIFIED CH. 844.
- H.1004 HUGGINS TORT CLAIM.(7/12) S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1023 INJUNCTION CLARIFICATION. S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1028 HISTORIC DISTRICTS.(7/07) S-REPTD FAV.
- #H.1035 METHOD OF MARKING BALLOTS. S-REPTD UNFAV.
- H.1038 NUISANCE DECLARATORY JUDGMENT.(7/07) S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1054 HISTORIC PROPERTY COMMISSIONS.(7/07) S-REPTD FAV.
- H.1058 MUNICIPAL BD. OF CONTROL.(7/07, 7/07) S-REPTD FAV.
- #H.1087 NONRESIDENT TUITION INCREASE.(6/17, 7/12) RATIFIED CH. 845.
- #H.1106 UNLAWFUL SCHOOL ABSENCES.(7/07) RATIFIED CH. 846.
- H.1118 SAVINGS & LOAN LOSS RESERVES. S-REPTD FAV.
- H.1128 PUB. BLDGS., SYSTEMS MGMT. LAWS. H-RECALLED FROM COM; H-RE-REF COM ON CALENDAR.
- H.1137 BULK TOBACCO BARNS SALES TAX.(6/25) S-PASSED 2ND READING.
- #H.1167 CHANGING FORMAL BID REQUIREMENTS.(7/07) RATIFIED CH. 847.
- H.1169 REPEALING GOV'T VEHICLE EXEMPTION. S-PASSED 2ND & 3RD READING.
- #H.1175 HIGHWAY PATROL AWARD.(7/07) RATIFIED CH. 848.
- H.1178 ABSENTEE VOTING CHANGES. H-PASSED 2ND READING.
- H.1180 RESTRICT SINGLE SHOT-STATEWIDE. H-RE-REF COM ON CALENDAR.
- H.1181 CONST'L LIMIT-INCORP. CITIES.(6/25) S-PASSED 2ND & 3RD READING.

- H.1183 PERSONALIZED CHECKS FOR FINES.(6/23) H-PASSED 3RD READING;
S-REC FROM HOUSE; S-REF TO COM ON COURTS.
- #H.1184 DRUNK DRIVERS CLINIC.(6/16) H-TABLED.
- H.1185 BLOOD BANK RESTRICTION. S-REC FROM HOUSE; S-REF TO COM ON
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- H.1193 FIRE INS. STAT. OF LIMITATION-2. S-REC FROM HOUSE; S-REF TO
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- H.1194 LABELING APPLES.(7/01, 7/13) S-FLOOR AMEND ADOPTED; S-PASSED
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- H.1197 HEALTH BOARDS COMPENSATION. S-REC FROM HOUSE; S-REF TO COM
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- H.1198 FINANCIAL RESPONSIBILITY CHANGES.(7/12, 7/12, 7/13, 7/13)
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ADOPTED; H-PASSED 3RD READING.
- H.1209 STANDING FOR STANDARDS.(7/12) H-PASSED 3RD READING.
- H.1213 SECURITIES INVESTMENT LAW. S-REPTD FAV.
- H.1214 INSURANCE AGENCY RECORDS.(7/09, 7/12) H-PASSED 2ND & 3RD
READING.
- H.1217 CLEAN WATER BONDS.(7/09, 7/12) H-PASSED 3RD READING; S-REC
FROM HOUSE; S-REF TO COM ON APPROPRN.
- H.1226 DMV AND SBI COOPERATION. S-REC FROM HOUSE; S-REF TO COM ON
CALENDAR.
- H.1232 ZOO AUTHORITY PERSONNEL. S-REC FROM HOUSE; S-REF TO COM ON
CALENDAR.
- #H.1236 RECKLESS DRIVING REVOCATION. H-TABLED.
- H.1241 CEMETERIES FOR PRIVATE GAIN. S-REC FROM HOUSE; S-REF TO COM
ON CALENDAR.
- H.1243 AMEND H 388. S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1244 MARKETING ASSOC. OFFICERS. S-REC FROM HOUSE; S-REF TO COM ON
CALENDAR.
- H.1246 NO DISCRIMINATION-BLIND TEACHERS. S-REC FROM HOUSE; S-REF TO
COM ON EDUCATN.
- H.1259 INSURANCE BROKER BONDS. H-PASSED 2ND & 3RD READING.
- H.1260 INTERSECTION VIOLATIONS. H-PASSED 2ND & 3RD READING.
- H.1263 SCHOOL COUNSELOR-PRIVILEGED COMM.. H-POSTPONED TO JULY 15.
- H.1267 PRECINCT OFFICIALS-APPOINTMENTS.(7/13) H-COM AMEND ADOPTED;
H-PASSED 2ND & 3RD READING.
- H.1272 LOCAL HUMAN RELATIONS PROGRAMS. H-PASSED 2ND & 3RD READING.
- H.1273 PRISON LAUNDRY SERVICE LIMITS. H-PASSED 2ND READING.
- H.1275 (J.RES.) SEDIMENTATION,POLLUTION STUDY. H-POSTPONED TO JULY
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- H.1281 PROPERTY INSURANCE AGENTS-EXAM. H-PASSED 2ND & 3RD READING;
S-REC FROM HOUSE; S-REF TO COM ON INSUR.
- H.1282 DMV REGISTRATION RECORDS. H-PASSED 2ND & 3RD READING.
- #H.1287 PAYMENT OF BILLS-STATE HOSPITALS. H-FAILED 2ND READING.
- H.1290 PICKING WILD FLOWERS. H-PASSED 2ND & 3RD READING.
- H.1293 HOUSING AUTHORITY INVESTMENTS.(7/13) H-FLOOR AMEND ADOPTED;
H-PASSED 2ND & 3RD READING.
- H.1294 (J.RES.) PUBLIC HEALTH SERVICES-STUDY COMM'N.(7/13) H-COM
AMEND ADOPTED; H-PASSED 2ND & 3RD READING.

- H.1298 (J.RES.) CONTINUING LOC. GOV'T STUDY COMM'N. H-PASSED 2ND & 3RD READING.
- H.1299 BDS. OF EDUCATION CONTRACTS.(7/13, 7/13) H-COM AMENDS ADOPTED; H-FLOOR AMEND ADOPTED; H-RE-REF COM ON CALENDAR.
- H.1374 DISSOLVING DIST. HEALTH DEP'TS. S-PASSED 2ND & 3RD READING.
- #H.1380 SANITARY DIST. BOND INTEREST. RATIFIED CH. 849.
- H.1382 (J.RES.) OPPOSING POLLUTION DILUTION.(7/12) S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1383 (J.RES.) PROP. TAX EXEMPT. STUDY COMM'N.(7/13) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H.1386 LICENSE FEE,PRACTIC. PSYCHOLOGISTS. S-PASSED 2ND READING.
- H.1403 REGIONAL TRANSPORTATIONS SYSTEMS. H-RECALLED FROM COM; H-RE-REF COM ON CALENDAR.
- H.1422 MUNICIPAL ELECTONS & LAND USE.(7/13) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H.1426 DOMESTIC GOODS PREFERENCE. H-RECALLED FROM COM; H-RE-REF COM ON CALENDAR.
- #H.1429 (J.RES.) LRC STUDY OF TEACHER LICENSING. RATIFIED RES. 99.
- H.1447 CREDITABLE SERVICE-STATE RET.. H-PASSED 2ND & 3RD READING.
- H.1472 CAPE FEAR RIVER PILOT FEES-2. S-PASSED 3RD READING.
- H.1484 NO WEAPONS FOR INMATES. S-REPTD FAV.
- #H.1518 (J.RES.) MEMORIALIZING CARLYLE.(7/08) RATIFIED RES. 100.
- #H.1524 (H.RES.) TOBACCO ADVIS. BD.-STUDY. ADOPTED.
- H.1528 (J.RES.) HONORING TUSCARORA CHIEF LUCAS. S-PASSED 2ND & 3RD READING.
- #H.1537 (J.RES.) MEMORIALIZING ROYALL. RATIFIED RES. 101.
- H.1538 (J.RES.) HONORING PATSY GAIL WOOD. S-REPTD FAV.
- H.1542 AMENDING CH. 806,1971 SL. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.

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- S. 500 (HALIFAX) MORE MAGISTRATES. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 684 (HENDERSON) HENDERSONVILLE CHARTER.(6/22, 7/12) H-PASSED 3RD READING; S-REC TO CONCUR IN H AMEND; S-PLACED CAL FOR JULY 14.
- S. 718 (CURRITUCK) HUNTING FOWL-CURRITUCK SOUND. S-REPTD FAV AS AMENDED.
- S. 854 (DURHAM) ELECTION OF MERGED SCHOOL BOARD. H-PASSED 3RD READING.
- S. 858 (GUILFORD) GREENSBORO HOUS DEV CL'HOUSE COMM'N. H-PASSED 3RD READING.
- S. 865 (GASTON) GASTONIA CHARTER.(7/12) H-PASSED 3RD READING; S-REC TO CONCUR IN H AMEND; S-PLACED CAL FOR JULY 14.
- S. 937 (WAYNE) POLICE JURIDICTION-SEVEN SPRINGS. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 946 (CASWELL) COUNTY MAGISTRATE INCREASE. H-REC FROM SENATE; H-PLACED CAL FOR JULY 14.
- S. 950 (WAYNE) SCHOOL BOND ELECTION. S-PASSED 3RD READING; H-REC FROM SENATE; H-REF TO COM ON CALENDAR.

- S. 958 (JACKSON) PAY RAISE-BD. OF COMM'RS CH'RMAN. S-PASSED 2ND & 3RD READING.
- S. 965 (MECKLENBURG) AMENDING CH. 783,1971 SL. S-REPTD FAV AS AMENDED.
- H. 148 (GUILFORD) GREENSBORO ELECTION LAW REPEAL. S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- #H. 180 (CARTERET) MORE MAGISTRATES. RATIFIED CH. 840.
- #H. 647 (MARTIN) MORE MAGISTRATES. RATIFIED CH. 842.
- #H. 786 (NASH) ADDITIONAL MAGISTRATE. RATIFIED CH. 843.
- H.1059 (ROWAN) TAXATION OF MINERAL INTERESTS.(6/30) S-PASSED 3RD READING.
- H.1215 (WATAUGA) PUBLIC SCHOOL & COLLEGE COOP.. S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1276 (BUNCOMBE, FORSYTH, ORANGE) REGISTERED INSTRUMENTS INDEX. (7/13) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H.1411 (DURHAM) PUBLIC FRANCHISES. S-PASSED 3RD READING.
- H.1419 (NEW HANOVER) TAX COLLECTION CONSOLIDATION.(7/09) S-RECALLED FROM HOUSE.
- H.1431 (WAKE) RALEIGH CIVIC CNTR. AUTH.. S-REPTD FAV AS AMENDED.
- H.1436 (WAKE) AMEND RALEIGH CHARTER.(6/30, 6/30, 7/13) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
- H.1442 (WAKE) CARY TOWN CHARTER.(6/30, 7/12) S-PASSED 3RD READING.
- H.1443 (MECKLENBURG) FIREMEN'S RETIREMENT-CHARLOTTE.(7/12) H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- H.1455 (CLEVELAND) PATTERSON SPRINGS INCORPORATION.(7/12) S-PASSED 3RD READING.
- H.1460 (PAMLICO) MINNESOTT BEACH INCORPORATION.(7/07) S-PASSED 2ND READING.
- H.1469 (MECKLENBURG) AMEND PINEVILLE CHARTER. H-PASSED 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1483 (COLUMBUS) WACCAMAW FISHING PERMITTED. S-PASSED 2ND & 3RD READING.
- H.1491 (BUNCOMBE) SCHOOL TAX REFERENDUM.(7/09) H-PASSED 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- #H.1492 (MOORE) BD. EDUC. PROPERTY TRANSFER. RATIFIED CH. 850.
- H.1497 (ROWAN) EAST SPENCER TOWN BD. SALARIES. S-REPTD FAV.
- #H.1498 (STANLY) SPELL IT STANLY. RATIFIED CH. 851.
- H.1517 (CATAWBA) ELECTING HICKORY SCHOOL BOARD.(7/12) S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.

Next Session of House: 9:00 a.m., Wednesday, July 14, 1971.

Next Session of Senate : 12 noon, Wednesday, July 14, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

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BULLETIN NO. 131

-1303-

WEDNESDAY, JULY 14, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 971 (Senate Resolution) Memorializing Mrs. Bridger MISC RES
Introducer: McGeachy ADOPTED

"Honoring the memory of Mrs. June Morris Bridger." As title indicates.

S 972 (Joint Resolution) Age of majority-LRC study STUDY
Introducers: Bailey and others Sent to CALENDAR

"Directing the Legislative Research Commission to study the provisions of the General Statutes respecting the age of majority and to make recommendations thereon to the 1973 General Assembly." As title indicates.

S 973 (Joint Resolution) St. gov. reorg.-LRC review STUDY, GS 143
Introducer: Futrell Sent to CALENDAR

"Appointing additional members of the General Assembly to the Legislative Research Commission for the purpose of reviewing quarterly reports from the Governor on the progress of reorganization of State government." As title indicates, directs appointment of 14 additional, non-voting, members, 7 to be appointed from Senate Committee chairmen by President Pro Tem of Senate and 7 to be appointed from House Committee chairmen by the Speaker. Directs Gov. to submit quarterly reports to the Comm'n, first report due Jan. 1, 1972.

S 974 General Assembly funds APPROPRIATION
Introducer: Henley Sent to APPROPRIATION

"Making a supplemental appropriation to the General Assembly." As title indicates, appropriated \$150,000 for fiscal 1971-72.

S 975 (Joint Resolution) Auto insurance study comm'n STUDY
(Iden. H 1551) Sent to CALENDAR
Introducers: Norton and others

"Creating a new Governor's Study Commission on Automobile Insurance and Rates." Identical with H 1551, digested in Bulletin No. 130, p. 1292.

S 976 (Joint Resolution) Gen'l Assembly adjournment MISC RES
Introducer: Patterson Sent to RULES

"Providing for adjournment of the General Assembly on July 16, 1971, to reconvene on October 25, 1971." As title indicates, with the October session limited to the restructuring of higher education.



S 977 Senate dists.-const. amend.
Introducer: Wood

CONSTITUTION
Sent to CONSTITUTION

"To amend the North Carolina Constitution to authorize the General Assembly to increase the number of Senators to sixty, and to establish legislative districts with two Representatives per Senator therein." Rewrites and expands NC Const. Art. II, Sec. 2 to provide for a Senate composed of no less than 50 Senators, with the General Assembly empowered to increase the Senate to 60 members, and to provide that should 60 Senators be elected the General Assembly shall so arrange legislative districts that there shall be elected in each legislative district two Representatives for each Senator elected from that district. Provides for vote on Constitutional amendment, as set out, in next general election.

S 979 (Senate Resolution) Motor vehicle fees-LRC study STUDY
Introducer: Rauch and others Sent to FINANCE

"Directing the Legislative Research Commission to study all taxes and fees imposed upon motor vehicles by the State of North Carolina." As title indicates, directing the Comm'n to report findings and recommendations to the 1973 Senate.

HOUSE

H 1552 (Joint Resolution) Approving salaries for st. officials
Introducer: Mohn APPROPRIATION
Placed on H CALENDAR for July 15

"Approving salaries for certain State officials as proposed by the Governor and Advisory Budget Commission." Pursuant to Ch. 728, 1971 SL, approves salaries of state officials not subject to St. Personnel Act, list of which proposed salaries has been filed with Principal clerks of the House and Senate. No additional increases to be made in covered salaries without approval of Gen'l Assembly.

H 1553 (Joint Resolution) Auto insurance study comm'n-2 STUDY
Introducers: Ingram and others Sent to CALENDAR

"Establishing a legislative committee to study automobile insurance." Establishes committee of nine 1971 General Assembly members (4 from Senate, appted. by Sen. Pres.; 5 from House, appted. by Speaker, who names House member as Ch'm.). No person owning interest in ins. co. (other than mutual co. policies) or having received remuneration in 12 months preceding July 1, 1971, for services to ins. co. is eligible to serve on committee. Study to encompass all aspects of automobile insurance, specifically including but not limited to collision, medical payments, comprehensive liability and uninsured motorist ins.; unfair and discriminatory rates, arbitrary cancellation or refusal to renew policies; establishment of fair and equitable rates and classifications and procedures for policy issuance, renewal and termination. Committee to hold open meetings, to have first meeting no later than July 1971 date when Gen. Assembly declared in recess, and to convene thereafter upon call of Ch'm. or Committee majority. Preliminary report to be filed with Sen. Pres. and Speaker on first day 1971 Gen. Assembly reconvenes after recess. Final report and recommendations to be made to Gen. Assembly prior to final adjournment. Committee to have authority to call before it Ins. Comm'r and his staff, any agt. or employee of ins. co. selling auto ins. in State, anyone employed by NC Rate Admin. Office, or "any other person"--and has power of subpoena to compel appearance of witnesses or records.

H 1555 Redefines 1st security instrument-2 GS 24
Introducer: Stevens Sent to CALENDAR

"To amend G.S. 24-1.2 relating to the definition of 'first security instrument.'"
Amends GS 24-1.2(b), as amended by Ch. 448, 1971 SL, (H 126), to define-for purposes of that subsection-first security instrument as instrument securing a loan payable in equal installments of principal and interest or equal installments of principal over a period of at least one (was 10) years.

H 1557 Taxes for payment of bonds GS 160
Introducers: Harkins and S. Johnson Sent to FINANCE

"To extend to all cities and towns the authority to issue general obligation bonds and to levy the required taxes for the payment of principal and interest thereof."
As title indicates, reenacts GS 160-397 ("Taxes levied for payment of bonds"). Effective July 1, 1971.

H 1558 General Assembly funds (Iden. S 974) APPROPRIATION
Introducer: Royall Sent to APPROPRN

"Making a supplemental appropriation to the General Assembly." Identical with S 974, digested in Senate section of today's Bulletin.

H 1559 Election law tech. amendments GS 163
Introducers: R. Brown and others Sent to CALENDAR

""To make miscellaneous technical amendments to Chapter 163 of the General Statutes." Deletes second paragraph of GS 163-32 (providing that in counties adopting permanent and full-time registration, compensation of members of county elections bd. to be set by county comm'rs). Amends GS 163-35 to clarify that all county election bds. have authority to appoint executive secretary. Amends GS 163-56 to shorten residency requirement for voting in presidential elections from 60 to 30 days. Amends GS 163-59 to clarify that persons may register for primaries in all counties not earlier than 60 days nor later than 21 days prior to the primary. Rewrites second paragraph of GS 163-70 to provide that requirements of section shall not apply unless ordered by Chairman of county bd. of election. Amends GS 163-72 to rewrite registration oath to conform with 18 yr. old voting rights. Rewrites registration oath of GS 163-73 (presidential elections) to conform with 30 day (instead of 60) residency requirements.

H 1560 Salary increases-higher ed. APPROPRIATIONS
Introducer: Phillips Sent to CALENDAR

"To provide 5% salary increases each year of the 1971-73 biennium for Presidents, Chancellors, and members of staffs of institutions of higher learning, and members of the staff of the Board of Higher Education, whose salaries have theretofore been set by the Governor, and Advisory Budget Commission." As title indicates.

H 1561 (House Resolution) St. Highway Comm'n audit MISC RES
Introducer: Barbee Sent to CALENDAR

"Regarding the audit of the State Highway Commission." Requires the State Highway Comm'n to submit to LRC and to Fiscal Research Div. of Legis. Services Comm'n. within 5 days of completion, any audit of Highway Fund or special funds taken before June, 1973.

H 1562 (Joint Resolution) St. gov. reorg.-LRC review STUDY
Introducer: Barbee Sent to CALENDAR

"Appointing additional members of the General Assembly to the Legislative Research Commission for the purpose of reviewing quarterly reports from the Governor on the progress of reorganization of State government." Identical with S 973, digested in Senate section of today's Bulletin.

H 1563 (House Resolution) Teacher's salaries-LRC study STUDY
Introducer: Barbee Sent to CALENDAR

"Directing the Legislative Research Commission to study the feasibility of appropriating a percentage of the budget to the State Board of Education for teachers' salaries." Directs LRC to study whether a certain percentage of biennial budget ought to be allotted to the St. Bd. of Ed. for it to allocate as it deems necessary for teacher salaries. Requires report to 1973 General Assembly.

H 1565 Control of dune buggies GS 104B
Introducer: Tart Sent to CALENDAR

"To make motor vehicle laws applicable to beach strand, to authorize counties by ordinance to regulate the use of dune buggies in certain areas, and to provide for enforcement." Makes all provisions of GS Ch 20 relating to operation of motor vehicles and rules of the road applicable to foreshore, beach strand and barrier dune system to same extent as applicable to streets and highways provided that county comm'rs may set speed limits lower than those in GS 20-41 and may provide for towing of unattended vehicles in violation of other regulations and ordinances. Permits county comm'rs to limit use of power-driven vehicles to designated areas of foreshore, beach, and dune areas. Directs law enforcement officers to enforce act. Makes violation of ordinance adopted by county comm'rs pursuant to act a misdemeanor punishable by \$50 fine, 30 days, or both.

H 1566 (House Resolution) House Board of Ethics GS 120, MISC RES
Introducer: Twiggs Sent to CALENDAR

"Creating a board of ethics for the House of Representatives." Bd. to be composed of 6 House members (3 elected by House Democratic delegation or appointed by Speaker, 3 elected by Republican House delegation or appointed by House Minority Leader). Two year terms expire Jan. 15 in odd-numbered years. Bd. to elect ch'm., meet as necessary, and hold public hearings. To submit recommendations to 1973 House on standards of conduct for legislators, disclosure requirements for legislators, permanent structure, including powers and duties of Bd., and others as deemed proper.

LOCAL BILLS INTRODUCED

SENATE

S 978 Amending Ch. 801, 1971 SL EDGECOMBE
Introducer: Allsbrook Sent to CALENDAR

"To amend Chapter 801 of the 1971 Session Laws ratified on the 8th day of July, 1971, relating to the annexation of a certain area adjacent to the Town of Princeville served by the water system." Amends indicated act by adding to Sec. 4 provision for local election, with favorable majority vote required before Charter as amended becomes effective.

HOUSE

H 1554 Limit deer hunting
Introducer: Hardison

LENOIR
Passed three readings
and sent to Senate

"To prohibit the hunting of deer in a part of Lenoir County during the 1971 and 1972 hunting seasons." As title indicates, making unlawful the taking, killing, or attempting to take or kill deer within specified area. Violation misdemeanor with \$10-\$50 fine or 30 days imprisonment. NC Wildlife Resources Comm'n has enforcement jurisdiction. Act effective during calendar years 1971-72.

H 1556 Beer & wine sales-Acad. of Dance
Introducers: Davis, F. Farmer, Jemison,
McDaniel and McKnight

FORSYTH
Sent to CALENDAR

"To restrict the sale of wine or beer in the vicinity of the Academy of Dance Arts in Forsyth County." As title indicates, no sale allowed within 50 feet of Academy. Violation a misdemeanor.

H 1564 Parking penalties
Introducers: McDaniel, Davis and Jemison

FORSYTH
Sent to CALENDAR

"Authorizing municipalities within Forsyth County to fix penalties not to exceed five dollars (\$5.00) for certain parking violations." Grants authority as title indicates for parking within 15 feet of a fire hydrant, parking so as to block a driveway, or parking in bus zones.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 43 Felony Firearm Act (Iden. H 66 digested in Bulletin No. 8, p. 47; Committee Substitute digested in Bulletin No. 82, p. 678.)

Amendments adopted in House 7/14/71: (1) limiting bill to prohibition of felon purchasing, owning or possessing any handgun or pistol (deleting sawed-off shotguns and explosives); (2) making penalty either imprisonment or fine, rather than both; and (3) changing effective date from ratification to Oct. 1, 1971.

S 203 Investment of funds by CSC (digested in Bulletin No. 35, p. 244, Senate Committee Substitute digested in Bulletin No. 88, p. 748)

House amendment adopted in House 7/14/71 changes CSC commissions on funds placed with him to the following: not to exceed \$15 if fund \$1,000 or less (was 3%); not to exceed \$25 if more than \$1,000 (was 1%).

S 227 Accident reports, parked autos (digested in Bulletin No. 39, p. 275; amendment digested in Bulletin No. 107, p. 974.)

Amendment adopted in House 7/14/71 providing that if the object hit is a fixed object owned by the State Highway Comm'n, the driver shall have 5 days (was 24 hours) to make the proper report.

S 274 Police officers, death benefits (digested in Bulletin No. 43, p. 309; amendments digested in Bulletin No. 108, p. 986 and Bulletin No. 109, p. 996)

Amendment adopted in House 7/14/71 deleting any retroactive effect of the bill.

S 383 Autistic children training (digested in Bulletin No. 59, p. 433.)

Committee Substitute adopted in Senate 7/14/71 deletes the \$497,760 appropriation for capital improvement projects for physical establishment of the three regional centers created by the bill.

- S 395 Senatorial districts (digested in Bulletin No. 62, p. 463; Senate Committee Substitute digested in Bulletin No. 129, p. 1280)

Senate Committee Substitute-2 adopted in Senate 7/14/71 rewrites Sen. Comm. Subs. by striking provision as to Dists. 23-27 and substituting the following: Dist. 23--Alexar, Catawba, Iredell, Yadkin--elect 2 Senators; Dist. 24--Avery, Burke, Caldwell, Mitchell, Watauga, Wilkes--2 Senators; Dist. 25--Cleveland, Gaston, Lincoln, Rutherford--3 Senators; Dist. 26--Buncombe, Madison, McDowell, Yancey--2 Senators; Dist. 27--Haywood, Henderson, Polk--1 Senator; Dist. 28--Cherokee, Clay, Graham, Jackson, Macon, Swain, Transylvania--1 Senator.

- S 560 Falls Reserv. Proj., C&D-US (Iden. 878) (digested in Bulletin No. 82, p. 674)

Committee Substitute adopted in Senate 7/14/71 provides: (1) C&D payments for project to be made in required installments from any or all of following sources: Gen. Assembly appropriations, fees and charges derived from use of recreational facilities, transit funds within Dep't operating budget (authorized by Director of Budget) and any other funds available to Dep't (rather than conditioning agreement under act on allocation of sufficient funds to Dep't by future Gen Assemblies); and (2) allocating \$50,000 to C&D from Gen. Fund for purposes of act (rather than \$2,499,000 for specific acquisition and development costs).

- S 612 Rhododendron festival (Iden. H 952, digested in Bulletin No. 87, p. 734)

Committee Substitute adopted in Senate 7/14/71 authorizes county comm'rs of Mitchell County to appropriate up to \$1,000 yearly to Bd. Dir. of NC Rhododendron Festival on Roan Mountain (originally, \$3,000 appropriated from General Fund for 1971-73 biennium).

- S 718 (Currituck) Hunting fowl-Currituck Sound (digested in Bulletin No. 98, p. 874).

Amendment adopted in Senate 7/14/71 strikes substance of original bill and substitutes a grant of authority (under Ch. 1436, Sec. 16, 1957 SL) to the Currituck County Game Commission with the approval of the NC Wildlife Resources Comm'n to restrict or prohibit the use of air boats on Currituck Sound from September 1 to April 1 each year.

- S 729 Day-care licensing funds (digested in Bulletin No. 100, p. 891)

Committee Substitute adopted in Senate 7/14/71: (1) changes appropriation to Child Day Care Licensing Bd. to \$160,000 for biennium beginning July 1, 1971 (instead of \$217,000 for each fiscal year beginning July 1, 1971 and July 1, 1972); and (2) provides that privilege license taxes collected from licensed day-care facilities under GS Art. 7, Ch. 110 be deposited in Gen. Fund (instead of allocating \$46,000 of total \$434,000 approp. to Bd. of Health for each fiscal yr. of biennium 1971-73 for health and sanitation inspections of facilities licensed by Bd.).

- S 866 Canned dog food law (digested in Bulletin No. 115, p. 1078; amendment digested in Bulletin No. 124, p. 1214)

Technical amendment adopted in House 7/14/71.

- S 936 (Joint Resolution) Creating State Fair Comm'n (digested in Bulletin No. 124, p. 1211)

Amendment adopted in Senate 7/14/71: (1) increases the size of the Comm'n from 6 to 8; (2) directs that the two additional members (who may not be Gen'l Assem. members) have agricultural background and experience; and (3) provides that the Fiscal Control Div. of the Gen'l Assembly is to cooperate with the Comm'n.

- S 941 Codifying certain 1971 acts (Iden. H 1510, digested in Bulletin No. 124, p. 1212)

Amendment adopted in Senate 7/14/71 strikes sections 5 and 6 (relating to codification directions for H 330 or S 187 and H 559, if passed) and changes codification references in Sec. 16 from GS Ch. 160A Secs. 6-16 to GS Ch. 160A Secs. 5-13.

S 965 Amending Ch. 783, 1971 SL (digested in Bulletin No. 129, p. 1279)
Amendment adopted in Senate 7/14/71 provides walkways across certain streets as permitted in act shall be for "private purposes" (was, for "public and private purposes").

HOUSE BILLS

H 285 Citizenship restored (digested in Bulletin No. 30, p. 205; Committee Substitute digested in Bulletin No. 123, p. 1203; amendment digested in Bulletin No. 126, p. 1238.)

Amendment adopted in Senate 7/14/71 deletes Clerk of Superior Court from list of persons before whom oath involved in restoration of citizenship process may be taken, leaving only "any judge of the General Court of Justice in Wake County" or county of residence or conviction.

H 318 Public drunks, non-criminal (Iden. S 179, digested in Bulletin No. 32, p. 223; H Committee Substitute digested in Bulletin No. 118, p. 1137; amendment digested in Bulletin No. 125, p. 1226)

S Committee Substitute adopted 7/14/71 changes title of act from "Public drunks, non-criminal" to "To provide for disposition and rehabilitation of alcoholics", completely rewriting bill to provide as follows. Sets out "Alcoholic rehabilitation jurisdiction", providing person arrested for public drunkenness or drunk and disorderly to be taken before magistrate who shall transfer case to District Court for trial upon determination person is a "probable alcoholic"; and permits magistrate to make a preliminary (and District Judge a final) commitment to a "rehabilitation facility" for not more than 6 months. Makes failure to comply with rehabilitation facility regimen grounds for "extended remedial custody" at an "agricultural confinement facility" for a period not to exceed two years, with review of each individual's records at facility not less than once every four months. Grants governing authorities of local governmental units power to appropriate funds for "short term care facilities" whether or not within boundaries of respective city or town appropriating funds. Conforms GS 14-335 and repeals all of Art. 7A, GS Ch. 122. Effective July 1, 1972.

H 320 Doctors' speed limits (digested in Bulletin No. 33, p. 230; House Committee Substitute digested in Bulletin No. 110, p. 1008; House Committee Substitute # 2 digested in Bulletin No. 112, p. 1039).

Committee Substitute adopted in Senate 7/14/71 retains addition of "vehicles operated by medical doctors in emergency" to those lawfully using red lights on front of vehicle under GS 20-130.1, but eliminates exemption of such vehicles proposed under GS 20-145 (speed limits), GS 20-156 (b) (right of way rule), and GS 20-157 (a) and (e), as amended by Ch. 366, SL 1971 (requiring other vehicles to pull over and stop on approach).

- H 814 Higher ed.-aid funds (Iden. S 510 digested in Bulletin No. 77, p. 618.)
Committee Substitute adopted in House 7/14/71: (1) appropriates \$850,000 from General Fund to Trust Fund of State Education Assistance Authority (established pursuant to GS 116-209), for use for purposes specified in Art 23 of GS Ch. 116; and (2) appropriates \$150,000 from General Fund to State Education Assistance Authority, for fiscal year 1971-72, for administration, through contractual agreements or otherwise, of loans under Student Assistance program established pursuant to GS 116-209.16 et seq. (enacted by Ch. 392, SL 1971), with any unexpended funds allowed to be used in second year of biennium; states that this sum will enable Authority to support administration of the loan program and will help make possible a marketable yield on any bonds issued; allows Authority to transfer any unneeded part of this sum to Trust Fund. Effective July 1, 1971.
- H 1151 Reduced petroleum products fees (digested in Bulletin No. 100, p. 893)
Amendment adopted in House 7/12/71 makes effective date of act Sept. 1, 1971, rather than July 1, 1971.
- H 1273 Prison laundry service limits (digested in Bulletin No. 111, p. 1017)
Amendment adopted in House 7/14/71 to provide that the price charged by the Dep't of Corrections laundry services to State and local gov't agencies be no less than that charged by local establishments "if their prices are fair and reasonable."
- H 1323 Private parking lots (digested in Bulletin No. 113, p. 1052)
Technical amendment adopted in House 7/14/71.
- H 1328 \$5,000 homestead exemption (digested in Bulletin No. 113, p. 1050)
Amendment adopted in House 7/14/71 changes effective date from Jan. 1, 1971 to Jan. 1, 1972.
- H 1329 Description of homestead exemption (digested in Bulletin No. 113, p. 1050)
Amendment adopted in House 7/14/71 deletes provision changing "justice of the peace" to "magistrate" in GS Ch. 1, Art. 32.
- H 1371 Dep't of Pub. Inst. Environ. funds (digested in Bulletin No. 115, p. 1082; Committee Substitute digested in Bulletin No. 128, p. 1267)
Amendment adopted in House 7/14/71 makes act effective upon ratification.
- H 1385 Possession under color of title (digested in Bulletin No. 116, p. 1094)
Amendments adopted in House 7/14/71 (1) make technical changes and (2) provide that act is not to affect pending litigation
- H 1409 Expanding county eminent domain (digested in Bulletin No. 117, p. 1109)
Amendment adopted in House 7/14/71 strikes sanitary landfills from purposes for which counties are authorized to exercise the power of eminent domain.
- H 1417 Dual office holding-2 (digested in Bulletin No. 117, p. 1110)
Amendments adopted in House 7/14/71: (1) rewrite new GS 128-1.1(a) to provide that no person who holds office or place of trust or profit under U.S. or any dep't thereof, or under any other state or gov't, may hold concurrently place of trust or profit under State of NC, excepting officer or employee of fed. postal service for non-elective office with duties not incompatible with those of first office or employment (originally, allowed any such person to hold concurrently one non-elected office); (2) strike permission to person holding non-elective office or place of trust or profit under this State to hold concurrently office or place of trust or profit under U.S. or other state or gov't; (3) repeal Ch. 697, 1971 SL (S 302) (relating to dual office holding); (4) delete provision

that attempt of person prohibited by statute (as opposed to Const.) from holding second office to fill second office is void; and (5) add "pursuant to law" to section permitting assignment to one office holder of powers and duties of another when to be performed ex officio.

H 1421 (Mecklenburg) Charlotte charter-retiree insur. (digested in Bulletin No. 117, p. 1112; amendments digested in Bulletin No. 123, p. 1204 and Bulletin No. 124, p. 1215)

Amendment adopted in Senate 7/14/71 adds new Sec. 2 with provisions identical to S 968, digested in Bulletin No. 130, p. 1293.

H 1433 Ment. retarded-day care funds (digested in Bulletin No. 118, p. 1133)
Technical amendment adopted in House 7/14/71.

H 1436 Amend Raleigh charter (digested in Bulletin No. 118, p. 1136; amendments digested in Bulletin No. 121, p. 1180; Committee Substitute digested in Bulletin No. 130, p. 1296)

Amendment adopted in Senate 7/14/71 deletes authority of city council to fix "conditions of appointment" of members of all boards, commissions, etc., of Raleigh, and provides that nothing in the bill is to permit the city to abolish or alter the basic structure of the Civil Service Commission.

H 1484 No weapons for inmates (digested in Bulletin No. 121, p. 1176)
Technical amendment adopted in Senate 7/14/71.

H 1503 Numbered House districts (digested in Bulletin No. 123, p. 1200)
Amendments adopted in House 7/14/71 add the 13th, 16th, 24th, and 30th House districts to those required by the bill to have numbered seats and delete the 21st district from that list.

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- #S. 18 TAX-EXEMPT MILITARY RETIRED PAY. H-REPTD UNFAV.
 S. 43 FELONY FIREARM ACT.(5/06, 7/14, 7/14) H-COM AMEND ADOPTED;
 H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
 S. 74 TUITION AID-MEDICAL STUDENTS. S-REPTD FAV AS AMENDED.
 S. 87 FIREMEN'S DEATH BENEFIT.(2/17, 7/12) H-REC FROM SENATE;
 H-PLACED CAL FOR JULY 15.
 S. 120 PROPERTY TAX RELIEF TO AGED.(5/31, 7/13) H-PASSED 2ND & 3RD
 READING.
 S. 149 TUITION AID-MEDICAL STUDENTS-2. S-REPTD FAV AS AMENDED.
 S. 159 1969 SELF-LIQUIDATING PROJECT. H-PASSED 2ND READING.
 S. 168 REGIONAL WATER SUPPLY PLANNING. H-PASSED 2ND & 3RD READING.
 S. 203 INVESTMENT OF FUNDS BY CSC.(5/14, 7/14) H-COM AMEND ADOPTED;
 H-PASSED 2ND & 3RD READING.
 S. 219 SENTENCE CREDIT PENDING APPEAL.(5/18) H-REPTD FAV.
 S. 220 SENTENCE CREDIT PENDING TRIAL.(5/18) H-REPTD FAV.
 S. 227 ACCIDENT REPORTS, PARKED AUTOS.(6/10, 7/14) H-COM AMEND
 ADOPTED; H-PASSED 2ND & 3RD READING.
 #S. 243 SUBCONTRACTORS' LIENS REWRITE. S-POSTPONED INDEF..
 S. 271 UNC-G DORM FINANCING. H-PASSED 2ND READING.
 S. 272 APPALACHIAN STATE DORM FINANCING. H-PASSED 2ND READING.
 S. 274 POLICE OFFICERS, DEATH BENEFITS.(6/11, 6/14, 7/14) H-COM
 AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
 S. 279 WORKMEN'S COMP.-PRISONERS.(4/01) S-PASSED 2ND & 3RD READING.
 S. 300 OLD ROCK HOUSE FUNDS. S-REPTD FAV AS AMENDED.
 S. 323 UNCONSCIONABLE CONTRACTS REMEDY. H-REPTD FAV.
 S. 326 SOYBEAN & FEED GRAIN FUNDING. S-REPTD FAV AS AMENDED.
 S. 335 TORT CLAIMS-STATE LIABILITY. H-PASSED 2ND & 3RD READING.
 S. 343 BUNKER HILL BRIDGE FUNDS. S-REPTD FAV.
 S. 367 UTILITIES COMM'N-SERVICE RESALE.(6/07) H-PASSED 2ND & 3RD
 READING.
 S. 370 UTILITIES COMM'N-EXEMPTION-2.(6/07) H-PASSED 2ND & 3RD
 READING.
 S. 375 NAT'L DRIVING CENTER FOUNDATION. S-REPTD FAV AS AMENDED.
 S. 376 ALSTON HOUSE FUNDS. S-REPTD FAV.
 S. 377 SERVICE OF PROCESS-ACCEPTANCE.(7/01, 7/02) H-REPTD FAV.
 S. 383 AUTISTIC CHILDREN-TRAINING.(7/14) S-REPTD FAV COM SUBSTITUTE;
 S-COM SUBSTITUTE ADOPTED.
 S. 390 STANLY TECHNICAL INSTITUTE FUNDS. S-RETPD FAV AS AMENDED.

- S. 395 SENATORIAL DISTRICTS.(6/30, 7/12, 7/14) S-FLOOR AMENDS FAILED; S-FLOOR AMEND ADOPTED; S-RE-REF COM ON GASSEMB.
- S. 411 CRIMINAL JUSTICE TRAINING COUNCIL.(6/16, 7/14) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
- S. 421 JOEL LANE HOUSE FUNDS. S-REPTD FAV AS AMENDED.
- S. 432 WATER-AIR MANAGEMENT, CONTROLS.(6/29, 7/05, 7/07) H-REPTD FAV.
- S. 434 MINING ACT FUNDS. S-REPTD FAV.
- S. 435 BLANDWOOD RESTORATION FUNDS. S-REPTD FAV AS AMENDED.
- S. 460 WATER, AIR RES.-INTEREST CONFLICT.(6/09, 6/25) H-PASSED 2ND & 3RD READING.
- S. 465 TEACHER, NC EMPLOYEE MED. BENEFIT. S-REPTD FAV AS AMENDED.
- S. 483 FUNDING DOBBS SCHOOL CHAPEL. S-REPTD FAV.
- S. 493 UNC-C STUDENT UNION FUNDS. H-PASSED 2ND READING.
- S. 513 JUVENILE CORRECTION BD. FUNDS. S-REPTD FAV.
- S. 522 NCSU TOBACCO RESEARCH-FUNDS. S-REPTD FAV AS AMENDED.
- S. 525 NC PESTICIDE LAW OF 1971-FUNDS. S-REPTD FAV AS AMENDED.
- #S. 539 CERTAIN STATE AGENCIES ABOLISHED.(6/25) S-RECONSIDERED 3RD READING; S-POSTPONED INDEF..
- S. 556 UNC-W BIO-MED LAB FUNDS. S-REPTD FAV.
- S. 560 FALLS RESERV. PROJ., C&D-US.(7/14) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
- S. 567 MORGANTON SCHOOL FOR DEAF FUNDS. S-REPTD FAV.
- S. 584 POST OFFICE AND BANK AT WCU. H-PASSED 2ND READING.
- #S. 604 PUNISHMENT-DRIVING UNDER INFLUENCE. H-REPTD UNFAV.
- S. 612 RHODODENDRON FESTIVAL FUNDS.(7/14) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
- S. 615 INTERNATIONAL COOP. COMM'N-FUNDS. S-REPTD FAV AS AMENDED.
- S. 638 AUTO INSUR. CLASS. 260 PLAN.(6/24) H-CONF REPORT ADOPTED.
- S. 642 NC INDIAN AFFAIRS COMM'N.(6/ 3) S-REPTD FAV AS AMENDED.
- S. 668 HIGHWAY CONST. CONTRACTS AND BONDS.(6/23) H-REPTD FAV.
- S. 700 WILMINGTON THALIAN HALL RESTOR.. S-REPTD FAV AS AMENDED.
- S. 703 COSTS IN CONDEMNATION ACTIONS.(6/17, 7/06) H-REPTD FAV.
- S. 714 DEP'T OF FAMILY MEDICINE-UNC. S-REPTD FAV.
- #S. 715 UNIFORM GENERAL ELECTION BALLOTS.(7/06) S-REPTD UNFAV.
- #S. 720 DEFICIENCY JUDGMENT ELECTION. S-TABLED.
- S. 728 CHILDREN'S HOME SOCIETY FUNDS. S-REPTD FAV AS AMENDED.
- S. 729 DAY-CARE LICENSING FUNDS.(7/14) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
- S. 732 AID TO PRIVATE COLLEGES-FUNDS. S-REPTD FAV AS AMENDED.
- S. 733 WORKMEN'S COMP.-EMPLOYEE DEATH-3.(7/05) H-REPTD FAV.
- S. 745 ECONOMICS TEACHING FUNDS.(7/12) H-REC FROM SENATE; H-PLACED CAL FOR JULY 15.
- S. 758 CLEAN WATER BONDS.(7/09, 7/12) H-PASSED 2ND READING.
- S. 770 FORT FISHER RESIDENCE FUNDS. S-REPTD FAV.
- S. 772 POSTAL SAVINGS ESCHEAT. H-REPTD FAV.
- S. 785 VAGABOND DRAMA APPROPRIATION. S-REPTD FAV AS AMENDED.
- S. 786 PERMIT FEES FOR PEN-RAISED QUAIL. H-REPTD FAV.
- S. 789 FIRST MORTGAGE LENDING LIMIT.(7/07) S-PLACED CAL FOR JULY 15.
- S. 799 CLASSIF. OF RESIDENCES-PROP. TAX.(7/09) H-REC FROM SENATE; H-REF TO COM ON FINANCE.
- S. 802 REGIONAL SEWAGE DISPOSAL SYSTEMS. H-PASSED 2ND & 3RD READING.

- S. 815 BUS LICENSES. H-PASSED 3RD READING.
- #S. 829 COMPULSORY WORKMEN'S COMP. LAW. H-REPTD UNFAV.
- S. 831 INSURANCE DEPT FUNDS. S-REPTD FAV AS AMENDED.
- S. 836 APPEALS FROM IND'L COMM'N. H-REPTD FAV.
- S. 860 DEP'T JUSTICE CLAIMS FUNDS. S-REPTD FAV AS AMENDED.
- S. 863 (J.RES.) 'CONVICTION' DEFINITION. S-PASSED 2ND & 3RD READING.
- S. 866 CANNED DOGFOOD LAW.(7/05, 7/14) H-PASSED 2ND READING; H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING; S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.
- #S. 870 DEED OF TRUST CANCEL. BY BEN.-2. H-REPTD UNFAV.
- S. 873 HIGHWAY COMM'N-TAKING W/O COMPLAINT. H-REPTD FAV.
- S. 876 COMMERCIAL FISHERIES STUDY COMM'N. H-PASSED 2ND & 3RD READING.
- S. 887 REVIEW OF PROBATION.(7/08) H-REPTD FAV.
- S. 905 NO PYRAMID OR CHAIN SCHEMES.(7/08, 7/09) H-PASSED 2ND & 3RD READING.
- S. 918 AMEND CH. 512,1971 SL.(7/08) H-PASSED 2ND & 3RD READING.
- S. 920 (J.RES.) SOLID WASTE DISPOSAL STUDY. H-REPTD FAV.
- #S. 921 WASTE DISPOSAL AREA PLATS. H-REPTD UNFAV.
- S. 926 PERMANENT TAX STUDY COMM'N CREATED. H-REPTD FAV.
- S. 929 AMEND CH. 708,SL 1971-MEDICAID.(7/12) H-REC FROM SENATE.
- S. 931 VEHICLE REMOVAL-SERVICE STATIONS-2.(7/08) H-REPTD FAV.
- S. 932 SUBSID. & AFFIL. CORP.-TAXES. H-REPTD FAV.
- S. 933 (J.RES.) LOCAL GOV'T STUDY COMM'N. H-REC FROM SENATE.
- S. 936 (J.RES.) CREATING STATE FAIR COMM'N.(7/14) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- #S. 939 TAX STUDY COMM'N-DIRECTIVE. H-REPTD UNFAV.
- #S. 940 CREDIT FOR USING SEAT BELTS. S-FAILED 2ND READING.
- S. 941 CODIFYING CERTAIN 1971 ACTS.(7/14) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PASSED 2ND & 3RD READING.
- S. 942 SPEC. SUP. COURT JUDGE-TERM. H-REPTD FAV.
- S. 944 FUNDING NC COURTS COMM'N. S-REPTD FAV.
- S. 953 FUNDING MORE DRIVER EDUCATION. S-REPTD FAV.
- #S. 957 AMENDING CH. 673,1971 SL. RATIFIED CH. 863.
- S. 960 REPEALING CHAPTER 562,1971 SL. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- #S. 961 LRC-ENVIRONMENTAL PROBLEMS STUDY. ADOPTED.
- #S. 964 LSC-MOTOR VEHICLE LAWS. ADOPTED.
- S. 966 LEGIS. RET. COSTS FUNDS. S-REPTD FAV.
- #S. 967 RESIDENT STUDENTS-TUITION PURPOSES. S-REPTD UNFAV.
- S. 969 REPEALING CH. 585,1971 SL. S-REPTD FAV.
- #S. 971 (S.RES.) MEMORIALIZING MRS. BRIDGER. ADOPTED.

- #H. 10 GASOLINE TAX REDUCTION. H-REPTD UNFAV.
- H. 58 BENNETT PLACE APPROPRIATION. H-REPTD FAV.
- #H. 104 CIGARETTE TAX INCREASE. H-REPTD UNFAV.
- #H. 181 TAX EXEMPT MILITARY RETIRED PAY-2. H-REPTD UNFAV.
- H. 203 YOUTH ADVOCACY COMMISSION.(2/25, 7/12) S-REPTD FAV.
- H. 204 YOUTH COMMISSION APPROPRIATION. H-REPTD FAV AS AMENDED.

- H. 210 SLOW VEHICLE REFLECTORS.(3/30, 3/30, 3/31, 7/08) S-PLACED CAL FOR JULY 15.
- H. 220 CLERKS,MAGISTRATES' SALARIES. S-PASSED 2ND & 3RD READING.
- #H. 236 CLARIFY SIGNALS LAWS. S-REPTD UNFAV.
- H. 243 1967 SELF-LIQUIDATING PROJECT. S-PASSED 2ND & 3RD READING.
- H. 260 CENTRAL SCHOOL FOR DEAF. H-REPTD FAV.
- H. 265 HISTORIC MURFREESBORO. H-REPTD FAV AS AMENDED.
- H. 266 AGRICULTURE REGIONAL LAB. H-REPTD FAV.
- H. 267 COASTAL PLAIN RES. CENT.-FUNDS-1. H-REPTD FAV.
- H. 273 REGIONAL WATER REVOLVING FUNDS. H-REPTD FAV AS AMENDED.
- H. 274 STATE STAFF APPROP.-REG'L WATER. H-REPTD FAV AS AMENDED.
- H. 275 TAX CLASSIFICATION-WATER COMPANIES.(7/09, 7/12, 7/13) S-REC FROM HOUSE; S-REF TO COM ON FINANCE.
- H. 285 CITIZENSHIP RESTORED.(7/02, 7/07, 7/14) S-COM AMEND ADOPTED; S-FLOOR AMEND FAILED; S-PASSED 2ND & 3RD READING.
- H. 286 INCREASE COMMISSION MEMBERS' PAY.(7/12) S-REPTD FAV.
- H. 294 DRUG LAW REVISION.(6/03, 6/07, 7/09, 7/13) S-PASSED 3RD READING.
- H. 318 PUBLIC DRUNKS, NON-CRIMINAL.(6/25, 7/06, 7/14) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
- H. 320 DOCTORS' SPEED LIMITS.(6/15, 6/17, 7/14) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
- #H. 323 SOFT DRINK TAX INCREASE. H-REPTD UNFAV.
- H. 338 VOC-TEXTILE SCHOOL FUNDS. H-REPTD FAV AS AMENDED.
- H. 373 HISTORIC HOPE RESTORATION FUNDS. H-REPTD FAV AS AMENDED.
- H. 374 NC ORTHOPEDIC HOSPITAL FUNDS. H-REPTD FAV.
- H. 375 VALIDATING FORECLOSURE DATES.(7/06) S-PASSED 2ND & 3RD READING.
- H. 393 SUBCONTRACTORS' LIENS REWRITE.(6/25, 6/25) S-PASSED 2ND & 3RD READING.
- H. 407 BLIND COMMISSION EMPLOYEES. H-REPTD FAV.
- H. 418 AERONAUTICS REVISION.(6/04) S-REPTD FAV AS AMENDED.
- #H. 424 LEGIS. RETIREMENT CONTRIBUTIONS. H-REPTD UNFAV.
- H. 428 BLIND RELIEF, STATE RESIDENCE.(4/05) S-RECALLED FROM COM; S-RE-REF COM ON CALENDAR.
- H. 431 MEDICAL CARE APPROPRIATION. H-REPTD FAV AS AMENDED.
- H. 479 HISTORIC EDENTON FUNDS. H-REPTD FAV AS AMENDED.
- H. 480 RENAL DISEASE PROGRAM AND FUNDS. H-REPTD FAV.
- #H. 483 TAX-SHELTERED ANNUITIES. H-REPTD UNFAV.
- H. 487 OUT-OF-STATE COSTS-MENTALLY ILL. H-REPTD FAV AS AMENDED.
- H. 519 AYCOCK HISTORIC SITE. H-REPTD FAV.
- H. 522 WOMEN'S EDUC. & EMPLOYMENT STUDY. H-REPTD FAV AS AMENDED.
- H. 543 STATE EMPLOYEES-TRAVEL ALLOWANCE.(7/09) S-PASSED 2ND & 3RD READING.
- H. 547 RESTORING WRIGHT TAVERN FUNDS. H-REPTD FAV AS AMENDED.
- H. 564 BURWELL SCHOOL RESTORATION. H-REPTD FAV AS AMENDED.
- H. 583 SWINE RESEARCH FACILITY APPROPR'N. H-REPTD FAV.
- #H. 598 CROWN TAX REFUND-NONPROFIT GROUPS. H-REPTD UNFAV.
- #H. 599 OPTIONAL SOFT DRINK TAX PAYMENTS. H-REPTD UNFAV.
- H. 619 STANLY TECHNICAL INSTITUTE FUNDS. H-REPTD FAV AS AMENDED.
- H. 624 RICHMOND HILL HOME FUNDS. H-REPTD FAV AS AMENDED.

- H. 652 NEWBOLD-WHITE HOUSE FUNDS. H-REPTD FAV AS AMENDED.
- H. 672 OLD WILKES JAIL FUND. H-REPTD FAV AS AMENDED.
- H. 697 INDIAN HEALTH APPROPRIATION. H-REPTD FAV.
- H. 700 TORT CLAIMS-LOCAL LIABILITY.(5/25, 7/06, 7/09) S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H. 705 COASTAL PROTECTION,BEACH EROSION.(5/27, 5/31, 7/12, 7/13) S-PLACED CAL FOR JULY 15.
- #H. 720 WATER-AIR MANAGEMENT,CONTROLS. H-REPTD UNFAV.
- H. 749 DISMAL SWAMP PARK FUNDS. H-REPTD FAV AS AMENDED.
- #H. 763 CREDIT FOR PREPAYMENT-TORTS.(6/30) RATIFIED CH. 854.
- #H. 788 LRC STUDY,SUING POLLUTORS. H-REPTD UNFAV.
- H. 811 INDUS. COMM'N EMPLOYEES' PAY. H-REPTD FAV.
- H. 814 HIGHER ED.-AID,FUNDS.(7/14) H-REPTD FAV COM SUBSTITUTE; H-COM SUBSTITUTE ADOPTED.
- H. 816 DEPT. OF AGRI.-FUNDS. H-REPTD FAV AS AMENDED.
- H. 840 MANPOWER COUNCIL APPROPRIATION. H-REPTD FAV AS AMENDED.
- #H. 863 STATE GOV'T REORGANIZATION.(6/21, 6/23, 6/24, 6/30) RATIFIED CH. 864.
- H. 864 CERTAIN STATE AGENCIES ABOLISHED.(6/30) S-PASSED 2ND & 3RD READING.
- H. 881 SHIPWRECK SALVAGE APPROP.. H-REPTD FAV.
- H. 885 DRUNK DRIVERS TREATED.(7/07, 7/08, 7/12, 7/13) S-REC FROM HOUSE; S-REF TO COM ON HY SAFTY.
- H. 888 PUBLIC SCHOOL TENURE SYSTEM.(6/23, 6/23, 7/07, 7/07) S-PASSED 3RD READING.
- H. 910 APPLE RESEARCH FUNDS. H-REPTD FAV.
- H. 914 INCREASED ASSISTANT SOLICITORS.(5/26, 7/12) S-REC FROM HOUSE; S-REF TO COM ON COURTS.
- H. 916 APPLY NC LAW TO FOREIGN INSURERS.(7/13) H-PASSED 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H. 922 FISHERIES DIVISION APPROPRIATION. H-REPTD FAV.
- H. 943 TEACHER-EMPLOYEE PENSION FUNDS. H-REPTD FAV.
- H. 946 NURSE PRACTITIONER FUNDS. H-REPTD FAV AS AMENDED.
- H. 947 PER DIEM-HANDICAPPED COMMITTEE. S-REPTD FAV.
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- H.1028 HISTORIC DISTRICTS.(7/07) S-PASSED 2ND & 3RD READING.
- H.1054 HISTORIC PROPERTY COMMISSIONS.(7/07) S-PASSED 2ND & 3RD READING.
- H.1058 MUNICIPAL BD. OF CONTROL.(7/07, 7/07) S-PASSED 2ND READING.
- H.1069 BEACH EROSION REVOLVING FUNDS. H-REPTD FAV AS AMENDED.
- H.1070 SEWAGE DISPOSAL PLANNING ACT FUNDS. H-REPTD FAV AS AMENDED.
- H.1071 REGIONAL SEWAGE REVOLVING FUNDS. H-REPTD FAV AS AMENDED.
- H.1072 FLOOD AND BEACH EROSION FUNDS. H-REPTD FAV.
- H.1076 CREATING DRUG AUTHORITY.(6/04, 6/22, 7/08) H-REPTD FAV.
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- H.1090 GROUNDS FOR DIVORCE-INSANITY.(6/29) S-REPTD FAV AS AMENDED.
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- #H.1112 LIMITED DRIVING PRIVILEGE.(6/18) H-REPTD UNFAV.
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- #H.1129 UNIFORM GENERAL ELECTION BALLOTS.(6/24, 6/24) S-REPTD UNFAV.

- #H.1135 NO DISCLOSURE-ESTATES' ASSETS.(6/17, 7/07) H-REPTD UNFAV.
- H.1137 BULK TOBACCO BARNS SALES TAX.(6/25) S-PASSED 3RD READING.
- H.1138 VOCATIONAL REHAB CENTERS-FUNDS. H-REPTD FAV AS AMENDED.
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- H.1158 (J.RES.) CREATING GROWTH PATTERNS COMM'N.(7/07) S-REPTD FAV.
- H.1165 MUNICIPAL AUTH.-GRANTS & LOANS.(7/07) S-REPTD FAV.
- #H.1166 SALES TAX EXEMPTION FOR BLIND. H-REPTD UNFAV.
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- H.1178 ABSENTEE VOTING CHANGES. H-PASSED 3RD READING; S-REC FROM
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- H.1241 CEMETERIES FOR PRIVATE GAIN. S-REPTD FAV.
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- H.1260 INTERSECTION VIOLATIONS. S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
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- H.1275 (J.RES.) SEDIMENTATION,POLLUTION STUDY. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1281 PROPERTY INSURANCE AGENTS-EXAM. S-REPTD FAV.
- H.1282 DMV REGISTRATION RECORDS. S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1290 PICKING WILD FLOWERS. S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1291 SCHOOL SUPERVISORS-12 MONTH TERM. H-REPTD FAV AS AMENDED.
- H.1293 HOUSING AUTHORITY INVESTMENTS.(7/13) S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
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- H.1305 LIMOUSINE VEHICLE LICENSE. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
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- #H.1319 REGIONAL SEWAGE DISPOSAL SYSTEMS. H-POSTPONED INDEF.
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- H.1351 COMMUNITY DRUG ABUSE PROGRAM-2. H-REPTD FAV.
- H.1352 JUVENILE HEARINGS. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON COURTS.
- H.1357 CHANGE OF VENUE MOTIONS. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.

- H.1359 CANNED DOG FOOD LAW. H-POSTPONED TO JULY 15.
- H.1371 DEP'T OF PUB. INST. ENVIRON. FUNDS.(7/09, 7/14) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- #H.1373 AMENDING GARNISHMENT LAW. H-REPTD UNFAV.
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- H.1378 TAXATION OF ACCTS. RECEIVABLE.(7/07) H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON FINANCE.
- H.1382 (J.RES.) OPPOSING POLLUTION DILUTION.(7/12) S-REPTD FAV.
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- #H.1385 POSSESSION UNDER COLOR OF TITLE.(7/14) H-COM AMENDS ADOPTED; H-PASSED 2ND READING; H-POSTPONED INDEF.
- H.1386 LICENSE FEE, PRACTIC. PSYCHOLOGISTS. S-PASSED 3RD READING.
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- H.1394 MODIFY APPELATE PROCEDURE. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON COURTS.
- #H.1395 NO PYRAMID OR CHAIN SCHEMES. H-POSTPONED INDEF.
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- H.1402 SALES TAX EXEMP.-RESPIRATORS.(7/07) H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON FINANCE.
- H.1409 EXPANDING COUNTY EMINENT DOMAIN.(7/14) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
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- #H.1415 STATE ZOO REVENUE BONDS. H-REPTD UNFAV.
- #H.1416 (J.RES.) COMMERCIAL FISHERIES STUDY COMM'N. H-POSTPONED INDEF.
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- H.1423 (J.RES.) MENTAL HEALTH DEP'T STUDY. H-PASSED 2ND & 3RD READING.
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- H.1447 CREDITABLE SERVICE-STATE RET.. S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- #H.1450 PERMIT REQUIRED TO BUY LIQUOR. H-REPTD UNFAV.
- #H.1452 SELLING DMV RECORDS. H-REPTD UNFAV.
- H.1453 AMEND CH. 688, 1971 SL. H-PASSED 2ND & 3RD READING.
- H.1457 (J.RES.) STUDY COMM'N-SCHOOL UNIONS. H-REPTD FAV.

- H.1461 REVOC. PROCEDURE-INSUR. LICENSE. H-PASSED 2ND & 3RD READING.
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#H.1481 REVISE AUTO LIAB. POLICY. H-REPTD UNFAV.
H.1482 MONROE POULTRY DISEASE LABORATORY. H-REPTD FAV.
H.1484 NO WEAPONS FOR INMATES.(7/14, 7/14) S-COM AMEND ADOPTED;
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H.1500 EASEMENTS TO FILL GRANTS. H-PASSED 2ND & 3RD READING.
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H-FLOOR AMENDS ADOPTED; H-POSTPONED TO JULY 15.
H.1505 ECU MED. SCHOOL ON BD. OF ANATOMY. H-PASSED 2ND & 3RD
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H.1551 (J.RES.) AUTO INSURANCE STUDY COMM'N. H-REPTD FAV.
H.1552 (J.RES.) APPROVE SALARIES FOR ST. OFFICIALS. H-PLACED CAL
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S. 718 (CURRITUCK) HUNTING FOWL-CURRITUCK SOUND.(7/14) S-COM AMEND
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- S. 843 (CALDWELL) LENOIR ELECTIONS.(6/30) H-REPTD FAV.
#S. 854 (DURHAM) ELECTION OF MERGED SCHOOL BOARD. RATIFIED CH. 852.
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S. 865 (GASTON) GASTONIA CHARTER.(7/12) S-PLACED CAL FOR JULY 15.
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S. 946 (CASWELL) COUNTY MAGISTRATE INCREASE. H-PASSED 2ND & 3RD READING.
S. 947 (CATAWBA) ELECTING HICKORY SCHOOL BOARD.(7/09) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
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H. 148 (GUILFORD) GREENSBORO ELECTION LAW REPEAL. S-REPTD FAV.
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- H.1534 (WAKE) RALEIGH CIVIL SERVICE COMM'N. H-REPTD FAV.
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- H.1548 (GUILFORD) GIFT OF LANDS FOR DEAF SCHOOL. H-REPTD FAV.
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Next Session of House: 9:00 a.m., Thursday, July 15, 1971.

Next Session of Senate: 11:00 a.m., Thursday, July 15, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

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BULLETIN NO. 132

-1325-

THURSDAY, JULY 15, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 980 (Joint Resolution) Gov's plans for southeastern MISC RES
NC Sent to CALENDAR
Introducer: Frink

"Urging the Governor to reveal his plans for the future development of south-eastern North Carolina." As title indicates, particularly to citizens in SE NC and about plans for Brunswick County.

S 981 LSC membership GS 120
Introducer: Patterson Sent to RULES

"To change the number of members of the Legislative Services Commission from eight to fourteen." Amends GS 120-31(a) as title indicates. Comm'n to consist of Senate Pres. Pro Tem and six Senators appointed by him and House Speaker and six Reps. appointed by him.

S 983 Salary increases-higher ed. (Iden. H 1560) APPROPRIATION, GS 116
Introducer: McLendon Sent to APPROPN

"To provide 5% salary increases each year of the 1971-73 biennium for presidents, chancellors, and members of staffs of institutions of higher learning, and members of the staff of the Board of Higher Education, whose salaries have heretofore been set by the Governor and Advisory Budget Commission." Identical with H 1560, digested in Bulletin No. 131, p. 1305.

S 984 Zoning auth.-St. buildings GS 160, 160A, 153
Introducers: Folger and McGeachy Sent to CALENDAR

"To amend the General Statutes of North Carolina relating to counties, cities and towns." Amends GS 160A-392 (Ch. 698, 1971 SL) to limit application of Part 3 (Zoning) of that Ch. to State buildings only where such buildings are located within the fire district of a city or town. Also provides that Part 3 is inapplicable to buildings located on institutional campuses owned by the State or its political subdivisions. Similarly amends GS 153-266.21 (county zoning authority) and GS 160-181.1 (municipal zoning authority).

S 985 Unused matching funds APPROPRIATION
Introducers: Henley and Burney Sent to APPROPN

"Relating to funds appropriated by the 1971 General Assembly as matching funds or funds to supplement federal grants or funds." Provides that funds appropriated as matching supplementary funds and not needed may be reallocated by the Gov. with approval of the Adv. Budget Comm'n and expended for any capital improvement project recommended to the 1971 Gen'l Assembly in the Capital Improvement Budget and for advance planning funds



for any such project. Determination whether need exists for matching funds to be made by Budget Div. of Admin. Dep't with advice and concurrence of the Gov., Dir. of Admin. Dep't, and St. Treasurer.

S 986 (Joint Resolution) Memorializing Judge Mintz MISC RES
Introducers: Frink and Burney Sent to CALENDAR

"Honoring the life, service and memory of Judge Rudolph Ivey Mintz."
As title indicates.

S 987 Redefines 1st security instrument-2 GS 24
(Iden. H 1555) Sent to CALENDAR
Introducer: Baugh

"To amend G.S. 24-1.2 relating to the definition of 'first security instrument.'" Identical with H 1555 digested in Bulletin No. 131, p. 1305.

HOUSE

H 1567 (Joint Resolution) Memorializing Bedford W. Black MISC RES
Introducer: J. C. Johnson Passed three readings
and sent to Senate

"Honoring Bedford W. Black, former legislator from Cabarrus County."
As title indicates.

H 1568 (Joint Resolution) Gov's plans for MISC RES
southeastern NC (Iden. S 980) Sent to CALENDAR
Introducer: Harrelson

"Urging the Governor to reveal his plans for the future development of Southeastern North Carolina." Identical with S 980, digested in the Senate section of today's Bulletin.

H 1569 Zoning auth.-St. buildings (Iden. S 984) GS 160, 160A, 153
Introducers: Watkins and S. Johnson Sent to CALENDAR

"To amend the General Statutes of North Carolina relating to counties, cities and towns." Identical with S 984, digested in Senate section of today's Bulletin.

H 1570 LSC membership (Iden. S 981) GS 120
Introducer: J. Ramsey Sent to CALENDAR

"To change the number of members of the Legislative Services Commission from eight to fourteen." Identical with S 981, digested in the Senate section of today's Bulletin.

LOCAL BILLS INTRODUCED

SENATE

S 982 School bd. contracts and leases WAKE
Introducers: Bailey & Scott Sent to CALENDAR

"To amend G.S. 115-131 to authorize and empower the Wake County and City of Raleigh boards of education to enter into long-term and short-term lease, leaseback, and lease-purchase contracts with individuals, firms and corporations." Rewrites GS 115-131 as title indicates, to apply only to Wake County. Authorizes city and county bds. to appropriate funds to help establish and operate school facility in adjoining county or city administrative unit under written agreement recorded in minutes of bds. Children from unit making appropns. entitled to attend school so established.

Long-term leases for rental of grounds and bldgs. to be erected for school purposes not to exceed 25 yrs at stipulated rental; lease purchases, not to exceed 10 years, with right of renewal for additional 10 yrs. Short term leases, maximum ten years, for use and renovation of existing bldg. and grounds for school purposes. Long-term lease and leaseback agreements permitted for proposed school sites where purpose to erect school bldgs. and facilities with non-public funds. Subordination of fee estate not to create city or county bd. of education obligation or liability for payment of construction and long-term financing notes, but bds. may assume obligation of defaulting borrower and terminate lease. Bds. empowered to make all other contracts and agreements necessary or convenient to carrying out purposes. Provisions of long or short-term leases, leasebacks, and lease-purchases require prior approval by State Sup't. of Public Instruction, and bldg. and renovation plans also subject to approval by other dep'ts. and agencies to extent required by law of school facilities.

HOUSE

NONE

SENATE BILLS

AMENDMENTS AND COMMITTEE SUBSTITUTES

S 74 Tuition aid-medical students (Iden. H 96) (digested in Bulletin No. 12, p. 73)

Amendment adopted in Senate 7/15/71 to change appropriation to Bd. of Higher Education out of Gen. Fund for educating doctors at Duke and Wake Forest to \$519,000 (rather than \$631,450) for fiscal year beginning July 1, 1971 and to \$717,000 (rather than \$872,350) for fiscal year beginning July 1, 1972.

S 149 Tuition aid-medical students-2 (digested in Bulletin No. 26, p. 171)

Amendment adopted in Senate 7/15/71 to change appropriation to help educate NC doctors and dentists at Meharry Medical College to \$12,500 (rather than \$18,750) for the fiscal years beginning July 1, 1971 and \$12,500 for year beginning July 1, 1972.

S 300 "Old Rock House" funds (Iden. H491, digested in Bulletin No. 48, p.345)

Amendment adopted in Senate 7/15/71 changes appropriation for restoration of Hezekiah Alexander Home to \$25,000 (rather than \$135,000).

S 326 Soybean and feed grain funding (digested in Bulletin No. 52, p. 372)

Amendment adopted in Senate 7/15/71 changes appropriations from Gen. Fund to NC Agric. Experiment Station to \$52,400 (rather than \$90,000) and to NC Agric. Extension Service to \$47,000 (rather than \$82,400), in both cases for each of two fiscal yrs. beginning July 1, 1971 and ending June 30, 1973; strikes out specific breakdowns of appropriations according to crop and purpose.

S 375 Nat'l Driving Center Foundation (Iden. H573, digested in Bulletin No. 58, p. 422)

Amendment adopted in Senate 7/15/71 changes title and text to make \$500,000 appropriation from Highway Fund rather than General Fund.

S 383 Autistic children training (digested in Bulletin No. 59, p. 433, Committee Substitute digested in Bulletin No. 131, p. 1307)

Amendment adopted in Senate 7/15/71 cuts appropriation from Gen. Fund to UNC Dean of School of Medicine for special training program for children with severe learning, communication and behavior disorders from \$650,000 to \$550,000.

S 395 Senatorial districts (digested in Bulletin No. 62, p. 436, S Committee Substitute #1 digested in Bulletin No. 121, p. 1178; S Committee Substitute #2 digested in Bulletin No. 129, p. 1280; amendment to S Committee Substitute #2 digested in Bulletin No. 131, p. 1308)

Amendment #1 adopted in Senate 7/15/71 returns Senatorial districts to those set out in S Com Sub #2 as digested in Bulletin No. 129, p. 1280.

Amendment #2 adopted in Senate 7/15/71 rewrites provisions for districts 23 through 27 as follows: Dist. 23--Alexander, Catawba, Iredell and Yadkin Counties--elect 2 Senators. Dist. 24--Avery, Burke, Caldwell, Mitchell, Watauga, and Wilkes Counties--elect 2 Senators. Dist. 25--Cleveland, Gaston, Lincoln, and Rutherford Counties--elect 3 Senators. Dist. 26--Buncombe, Madison, McDowell, and Yancey Counties--elect 2 Senators. Dist. 27--Cherokee, Clay, Graham, Haywood, Henderson, Jackson, Macon, Polk, Swain, and Transylvania Counties--elect 2 Senators.

S 411 Criminal Justice Training Council (digested in Bulletin No. 63, p. 477)

Committee Substitute adopted in Senate 7/14/71 makes following changes:

(1) increases number of members of NC Criminal Justice Training and Standards Council from 18 to 21; and (2) deletes authority of Council to establish minimum salary and benefit standards for criminal justice officers.

S 421 Joel Lane House funds (Iden. H 679, digested in Bulletin No. 64, p. 491)

Amendment adopted in Senate 7/15/71 reduces appropriation to help restore Joel Lane House("Wakefield") in Raleigh from \$30,000 to \$20,000.

S 435 Blandwood restoration funds (digested in Bulletin No. 66, p. 505)

Amendment adopted in Senate 7/15/71 reduces appropriation from \$73,000 to \$25,000, for the biennium.

S 465 Teacher, NC employee med. benefit (Iden. H 758;digested in Bulletin No. 70, p. 547)

Amendment adopted in Senate 7/15/71: (1) modifies provision that membership in retirement system not necessary to receive benefits under act to provide that school bus drivers in the public school system and temporary and part-time employees are specifically excluded from the benefits; (2) decreases the funds for administration of the program from \$145,000 to \$100,000 for the fiscal year 1971-72; and (3) provides that all other costs are to be met from funds already appropriated.

S 522 NCSU tobacco research funds (Iden. H 836, digested in Bulletin No. 78, p. 627)

Amendment adopted in Senate 7/15/71 reduces appropriation for each year of 1971-3 biennium from \$125,000 to \$98,500.

S 525 NC Pesticide Law of 1971-funds (digested in Bulletin No. 78, p. 628)

Amendment adopted in Senate 7/15/71 reduces appropriation from \$98,523 for 1971-2 and \$175,607 for 1972-3 to \$112,000 for the biennium and deletes appropriation of \$58,750 for 1971-2 and \$63,500 for 1972-3 for equipment and computer services.

S 615 International Coop. Comm'n funds (digested in Bulletin No. 87, p. 734)

Amendment adopted in Senate 7/15/71 reduces appropriation to Dep't of Admin. for NC Comm'n on International Cooperation to \$48,000 for biennium 1971-73, rather than \$60,000 for fiscal year 1971-72 and \$28,000 for 1972-73.

- S 642 N.C. Indian Affairs Comm'n (Iden. H 986, digested in Bulletin No. 91, p. 772; amendment digested in Bulletin No. 102, p. 913)
Amendments adopted in Senate 7/15/71: (1) delete requirement that exec. dir. and other staff be paid only from legislative appropriations; and (2) appropriate \$12,500 to the Comm'n in each year of the biennium.
- S 700 Wilmington Thalian Hall restor. (Iden. H 1056, digested in Bulletin No. 96, p. 839)
Amendment adopted in Senate 7/15/71 reduces appropriation from \$50,000 to \$25,000 for the biennium.
- S 714 Dep't of Family Medicine-UNC (Iden. H 1110, digested in Bulletin No. 98, p. 867)
Amendment adopted in Senate 7/15/71 requires that new Dep't of Family Medicine be co-equal with other dep'ts in UNC school of Medicine.
- S 728 Children's Home Society funds (digested in Bulletin No. 100, p. 891)
Amendment adopted in Senate 7/15/71 increases appropriation for the biennium from \$75,000 to \$100,000.
- S 732 Aid to private colleges-funds (digested in Bulletin No. 101, p. 901)
Amendment adopted in Senate 7/15/71 reduces appropriations to Dep't of Admin. to aid NC private educational institutions in State for scholarships to needy students from \$4,600,000 for each of the two fiscal years 1971-72 and 1972-73 to \$575,000 for the entire period, and reduces appropriation to aid such private institutions (on NC enrollment bases) from \$600,000 to \$450,000 for the fiscal year beginning July 1, 1972.
- S 785 Vagabond drama appropriation (digested in Bulletin No. 109, p. 993)
Appropriation for State Theatre of NC (Vagabond School of Drama, Inc.) reduced from \$25,000 to \$5,000 for each year of 1971-3 biennium.
- S 786 Permit fees for pen-raised quail (digested in Bulletin No. 109, p. 993)
Amendment adopted in House 7/15/71 makes \$50 payable to Wildlife Resources Commission applicable to every person who wishes to raise (as well as sell) pen-raised quail for food purposes.
- S 825 Small watershed changes (Iden. H 1325, digested in Bulletin No. 113, p. 1049)
Amendment adopted in House 7/15/71 amends definition of "watershed improvement project" in GS 139-3(17) to include any watershed, drainage or flood control project planned or carried out by the Soil Conservation Service, TVA, or Army Corps of Engineers. Amends proposed GS 139-47 to clarify that public hearings on proposed channelization projects shall be required for projects based on investigations of the Soil Conservation Service or report of the Army Corps of Engineers or TVA. Provides act shall apply to any TVA project not presently under construction.

S 831 Insurance Dep't funds (digested in Bulletin No. 114, p. 1064)

S-Appropriations to Ins. Dep't for Admin. Law, Complaints, and Fire and Casualty Divisions reduced from \$852,510 to \$268,641 for the 1971-73 biennium; \$134,320 (rather than \$367,471) for fiscal year 1971-72 and \$134,321, (rather than \$485,039) for fiscal year 1972-73.

S 848 Regulating auto insurance rates-4 (digested in Bulletin No. 116, p. 1091)

Amendment adopted in Senate 7/15/71 permits consideration in rate-making process by Insurance Commissioner of investments from loss reserves (as well as from unearned premium reserves) as part of company earnings in writing auto liability insurance in-State. Also makes technical correction.

S 860 Dep't Justice claims funds (digested in Bulletin No. 116, p. 1093)

Amendment adopted by Senate 7/15/71 deletes original appropriation of \$15,852 for each of next two fiscal years for salary of Claims Section supervisor and substitutes appropriation for Claims Section of \$28,654 for 1971-72 and \$28,704 for 1972-73. Breakdown shows for each year: \$21,600 salaries (for 2 adjustors at \$10,800); \$1,000 supplies; \$3,000 travel; \$1,932 retirement; and \$1,122 (1971-72) and \$1,172 (1972-73) social security.

S 969 Repealing Ch. 585, 1971 SL (digested in Bulletin No. 130, p. 1291)

Amendment adopted in Senate 7/15/71 makes following changes: (1) strikes word "Repeal" in title of act and substitute word "Amend"; and (2) rewrites text of Ch. 585, 1971 SL (Senate Bill 4) to make act (S 4) effective July 1, 1973, (originally, upon ratification) and to provide act shall not affect the validity of contracts entered into or other acts done by persons between the ages of 18 and 21 years during period between July 5, 1971 and the ratification of S 969.

HOUSE BILLS

H 204 Youth Commission appropriation (Iden. S 134, digested in Bulletin No. 23, p. 151)

Amendment adopted in House 7/15/71 reduces appropriation for Comm'n from \$60,000 to \$54,000 for the biennium.

H 210 Slow vehicle reflectors (digested in Bulletin No. 23, p. 152)

Amendment adopted in Senate 7/15/71 makes GS 20-129.1 (10) applicable to every motor vehicle (rather than vehicle) with maximum potential speed of 25 mph when operated upon any primary road (rather than any street or highway).

H 265 Historic Murfreesboro (digested in Bulletin No. 27, p. 182)

Amendment adopted in House 7/15/71 reduces appropriation to Dep't of Archives and History to buy, restore, repair and preserve historic buildings and sites under jurisdiction of Historic Murfreesboro Commission from \$50,000 to \$25,000.

H 273 Regional water revolving funds (Iden. S 167, digested in Bulletin No. 28, p. 192)

Amendment adopted in House 7/15/71 reduces appropriation from \$800,000 to \$100,000.

H 274 State staff approp.-reg'l water (Iden. S 169, digested in Bulletin No. 28, p. 190)

Amendment adopted in House 7/15/71 changes appropriation to St. Bd. of Health to implement Regional Water Supply Planning Act of 1971 (1) from \$85,508 for fiscal yr. 1971-72 and \$80,035 for fiscal yr. 1972-73 to \$82,000 for 1971-73 biennium and (2) from \$51,700 for each fiscal year (1971-72, 1972-73) to \$51,000 for the 1971-73 biennium.

- H 338 Voc Textile School funds (digested in Bulletin No. 35, p. 245)
Amendment adopted in House 7/15/71 decreases the appropriation from \$320,000 to \$270,000 and makes it directly to the NC Vocational Textile School rather than through the State Bd. of Ed.
- H 373 Historic Hope restoration funds (digested in Bulletin No. 37, p. 264)
Amendment adopted in House 7/15/71 reduces appropriation from \$60,000 to \$25,000.
- H 418 Aeronautics revision (digested in Bulletin No. 42, p. 303; House Committee Substitute digested in Bulletin No. 103, p. 928)
Amendment adopted in Senate 7/15/71 deletes from the bill the rewrite of GS 63-15 (Collision of aircraft).
- H 431 Medical Care appropriation (digested in Bulletin No. 43, p. 311)
Amendment adopted in House 7/15/71 reduces funds appropriated by act from \$425,000 to \$100,000.
- H 479 Historic Edenton funds (digested in Bulletin No. 48, p. 347)
Amendments adopted in House 7/15/71 reduces appropriation from \$17,000 to \$10,000 for Barker House; from \$20,600 to \$8,000 for Cupola House; from \$28,000 to \$12,000 for James Iredell House; and from \$65,600 to \$30,000 for the total appropriation.
- H 487 Out-of-state costs-mentally ill (digested in Bulletin No. 49, p. 354)
Amendment adopted in House 7/15/71 appropriates \$3,000 for 1971-73 biennium from Gen. Fund to Dep't of Mental Health to defray expenses incurred in compliance with act.
- H 522 Women's educ. & employment study (Iden. S 339; digested in Bulletin No. 53, p. 385)
Amendment adopted in House 7/15/71 reduces appropriation for the biennium from \$8,500 to \$6,000.
- H 547 Restoring Wright Tavern (digested in Bulletin No. 56, p. 402)
Amendment adopted in House 7/15/71 reduces the appropriation for the biennium from \$40,000 to \$25,000.
- H 564 Burwell school restoration (digested in Bulletin No. 57, p. 414)
Amendment in House 7/15/71 reduces funds appropriated by act from \$30,700 to \$15,000.
- H 619 Stanly Technical Institute funds (Iden. S 390; digested in Bulletin No. 61, p. 455)
Amendments adopted in House 7/15/71: (1) reduce the appropriation for operating expenses for the first year of the biennium from \$190,000 to \$60,000 and for the second year of the biennium from \$190,000 to \$140,000; and (2) add a provision appropriating \$150,000 to the State Board of Ed. for the biennium, to establish a permanent campus branch of the Anson Technical Institute in Wadesboro, subject to the approval of the State Bd. of Ed. and the Dep't of Community Colleges.
- H 624 Richmond Hill home funds (digested in Bulletin No. 61, p. 456)
Amendment adopted in House 7/15/71 reduces funds appropriated by act from \$20,000 to \$15,000.

- H 652 Newbold-White House funds (digested in Bulletin No. 62, p. 467)
Amendment adopted in House 7/15/71 reduces appropriation of act from \$40,000 to \$25,000.
- H 672 Old Wilkes Jail funds (digested in Bulletin No. 63, p. 479)
Amendment adopted in House 7/15/71 reduces appropriation of act from \$32,000 to \$20,000.
- H 705 Coastal protection, beach erosion (Iden. S 431, digested in Bulletin No. 66, p. 505; House Committee Substitute digested in Bulletin No. 97, p. 862; Senate Committee Substitute digested in Bulletin No. 129, p. 1282; amendment digested in Bulletin No. 130, p. 1294)
Amendment adopted in Senate 7/15/71 modifies the proviso of the bill stating that the act is not to impair the riparian right of ingress and egress to navigable waters, to the effect that such ingress and egress must be, and only to the extent reasonably necessary, for a use or proposed use of the land; and adding a proviso that nothing in the act is to prohibit the right of an owner of land to do necessary dredging and filling to provide and maintain the right of access.
- H 749 Dismal Swamp Park funds (digested in Bulletin No. 69, p. 536)
Amendment adopted in House 7/15/71 rewrites act to delete appropriation of \$955,875 to purchase lands and establish Park, and to declare the express intention of 1971 Gen Assembly that, of the one million dollars appropriated to the Division of State Parks of the C&D Dep't. for Capital Improvement Projects (Sec. IX, Item 3, Ch. 693, 1971 SL), \$200,000 is for purchase of Dismal Swamp land and to establish State Park in Camden County.
- H 816 Dep't of Agri.-funds (digested in Bulletin No. 77, p. 618)
Amendment adopted in House 7/15/71 reduces appropriation to \$17,650 for biennium (originally, \$35,326), and removes detailed schedule of how the money is to be used, relying instead on a direction to use the money for the purposes set out in the bill's preamble.
- H 840 Manpower Council appropriation (Iden. S 531, digested in Bulletin No. 79, p. 638)
Amendment adopted in House 7/15/71 reduces appropriation to Dep't of Administration for operating budget of Manpower Council from \$100,000 to \$84,000 for biennium.
- H 946 Nurse practitioner funds (digested in Bulletin No. 86, p. 725)
Amendment adopted in House 7/15/71 sets appropriation of act at \$75,000 for 1971-73 biennium (originally, \$75,000 for each year of biennium).
- H 1069 Beach erosion revolving funds (Iden. S. 692, digested in Bulletin No. 96, p. 841)
Amendment adopted in House 7/15/71 reduces appropriation from \$1,000,000 to \$250,000.
- H 1070 Sewage disposal Planning Act funds (Iden. S 693, digested in Bulletin No. 96, p. 841)
Amendment adopted in House 7/15/71 sets appropriation at \$40,000 (was, \$69,000) for each fiscal year of biennium.

- H 1071 Regional sewage revolving fund (Iden. S 691, digested in Bulletin No. 96, p. 841)
Amendment adopted in House 7/15/71 sets appropriation at \$200,000 (was, \$500,000).
- H 1077 Drug Authority funds (digested in Bulletin No. 96, p. 842)
Amendment adopted in House 7/15/71 sets appropriation for fiscal 1971-72 at \$44,000 (was, \$80,000) and for fiscal 1972-73 at \$44,000 (was, \$82,000).
- H 1090 Grounds for divorce-insanity (digested in Bulletin No. 96, p. 845;
House Committee Substitute digested in Bulletin No. 120, p. 1163)
Amendment adopted in Senate 7/15/71 deletes that part of the bill allowing divorce upon examination of insane spouse by two or more members of staff of medical school, with determination that spouse is suffering from incurable insanity.
- H 1091 Legislative fiscal research funds (Iden. S 645, digested in Bulletin No. 96, p. 845)
Amendment adopted in House 7/15/71 changes appropriation for operation of Fiscal Research Division of Legislative Services Comm'n to \$375,000 for 1971-73 biennium (rather than \$250,000 each for fiscal years 1971-72 and 1972-73).
- H 1138 Vocational rehab centers-funds (Iden. S 727, digested in Bulletin No. 100, p. 892)
Amendment adopted in House 7/15/71 reduce appropriations to State Bd. of Educ., Div. of Vocational Rehab. from \$50,000 to \$25,000 to complete plans for development of state rehabilitation institute; from \$975,828 for constructing and equipping two regional comprehensive vocational rehabilitation centers to \$350,042 for one Center at Greenville; and from \$140,000 to help establish 10 vocational rehabilitation counseling and placement units to \$10,000 for advanced planning of a Regional Comprehensive Vocational Center at Fayetteville.
- H 1147 Broughton Hosp. neurosurgical unit (Iden. S 713, digested in Bulletin No. 100, p. 893)
Amendment adopted in House 7/15/71 reduces the appropriation for the first year of the biennium from \$279,033 to \$161,998 and for the second year of the biennium from \$240,540 to \$212,124.
- H 1196 Term and pay of principals (digested in Bulletin No. 105, p. 947)
Amendment adopted in House 7/15/71 limits appropriation for employment of classified principals in schools having at least 15 teachers (rather than all classified principals), and makes appropriation only in the second year of the biennium, in the amount of \$2,838,260.
- H 1235 Teachers' term, pay-2 (digested in Bulletin No. 108, p. 983)
Amendment adopted in House 7/15/71 rewrites Sec. 1 of act to appropriate \$4,230,648 from General Fund and \$24,228 from Highway Fund for fiscal 1972-73 (was, \$31,588,028 from General Fund for fiscal 1972-73), to be used to extend the term of employment for certified teachers by additional 2 working days in second year of 1971-73 biennium (was, extend term to 10 calendar months).

H 1247 Tax credit-assist handicapped (digested in Bulletin No. 109, p. 933; amendment digested in Bulletin No. 129, p. 1284)

Committee Substitute adopted in Senate 7/15/71 changes the concept of the bill from a tax credit to a tax deduction, by (1) adding (for corporate income tax) a provision to GS 105-130.5(b) providing that the cost of renovation (with same requirements as in the original bill, except there is no longer a \$1000 limit), is to be deducted from federal taxable income for determining State net income, and by adding a provision to GS 105-130.5(a) providing that depreciation or amortization of such costs (if they are deducted) taken for federal income tax purposes must be added to federal taxable income to determine State net income; and (2) adding a comparable provision to GS 105-147(24) (for individual income tax) allowing deduction of full cost (with no limit on amount) and prohibits deduction of depreciation or amortization if this is done.

H 1291 School supervisors-12 month term (digested in Bulletin No. 111, p. 1018)

Amendment adopted in House 7/15/71 rewrites act to provide for 10 1/2 month term of employment for public school supervisors for fiscal year 1972-73 (was, 12 month term), to delete reference to vacation leave, and to appropriate \$201,244 (was, \$801,036) for funding of provisions of act.

H 1343 Governor's western manor (digested in Bulletin No. 114, p. 1066)

Amendment adopted in House 7/15/71 provides fence to be built if Governor and Council of State determine there is need for it.

H 1397 Medical practice technical changes (digested in Bulletin No. 116, p. 1097)

Amendment adopted in House 7/15/71 modifies rewrite of GS 90-10 to delete permission of Board to grant license to person who took another exam the Board considers sufficient to determine the applicant's competence, and to insert instead authority to the Board to grant a license to an applicant who has passed the exam given by the Nat'l Bd. of Medical Examiners.

H 1431 (Wake) Raleigh Civic Cntr. Auth. (digested in Bulletin No. 122, p. 1189)

Amendment adopted in Senate 7/14/71 permits issuance of bonds under "the Municipal Finance Act or the Local Government Finance Act" (originally, only under the Local Government Finance Act).

H 1499 Chapter 18 elections-towns (digested in Bulletin No. 122, p. 1189)

Amendment adopted in House 7/15/71 sets expenditure for law enforcement at 5-10% of total profits and a minimum of 7% for education and rehabilitation (was, 5-15% for law enforcement and education).

H 1522 (Wake) Wake/Raleigh bd. educ. merger vote (Iden. S 954, digested in Bulletin No. 127, p. 1250)

Committee Substitute adopted in House 7/15/71 makes following changes: (1) makes effective date of merger, if voters approve, July 1 (rather than Sept. 1) 1973, and requires that election be before Jan. 1 (rather than March 1) 1973; (2) cuts terms of merged school bd. from six years to four years, and provides for staggering of terms both within and without Raleigh twnp; (3) gives fuller list of duties to joint committee of present two school boards, prior to merger; (4) authorizes increase in Wake school bd. by four members, but does not require (but suggests) that each member represent a high school attendance district; (5) provides that if the merger vote is negative, the four additional members' terms are to end Jan. 1, 1973; (6) provides that even if vote is negative, two boards might still merge via statutory route (Art. 8 of GS Ch. 115); and (7) makes minor changes.

- H 1525 Educ. Opportunities Info. Center (digested in Bulletin No. 127, p. 1249)
Amendment adopted in House 7/15/71 reduces appropriation from \$50,000 to \$25,000.
- H 1531 Pay raise-certain State positions (Iden. S 953, digested in Bulletin No. 128, p. 1262)
Technical amendment adopted in House 7/15/71.
- H 1534 (Wake) Raleigh Civil Service Comm'n (digested in Bulletin No. 128, p. 1263)
Amendment adopted in House 7/15/71 deletes requirement that employees be given at least 7 days to make administrative appeal from disciplinary action, and provides instead that the Council shall establish the appeal procedure; requires that if employee is re-instated, he shall be entitled to all wages due because of suspension, lay-off or removal from employment.
- H 1541 (Ashe) Jefferson ABC stores (digested in Bulletin No. 130, p. 1293)
Amendment adopted in House 7/15/71: (1) decreasing the W. Jefferson share of the profits from 40% to 32 1/2%, increasing the Jefferson share from 30% to 32 1/2% and giving 5% of the profits to the Ashe County Rescue Squad; and (2) deleting direction to the town boards to call the ABC referendum, leaving them with the discretion to do so unless they receive a petition from a sufficient number of voters to force the referendum.
- H 1198 Financial responsibility changes (Iden. S 759, digested in Bulletin No. 105, p. 948; Committee Substitute digested in Bulletin No. 129, p. 1283; House amendments digested in Bulletin No. 130, p. 1295)
Senate amendments adopted in Senate 7/15/71: (1) reword provision giving insurance carriers credit for voluntarily insuring those subject to or on assigned risk so as to provide that any such assigned risk plan adopted or approved by the "Commission" (Commissioner?) shall establish reasonable plans and procedures for decreasing persons insured through NC Automobile Insurance Plan (assigned risk) by equitable method of allowing credit as business written through plan to carrier who write such persons voluntarily outside the plan; (2) require Commissioner's plans and procedures for NC Automobile Plan to provide method of allowing each insurance carrier a reasonable credit (rather than prorating of exposure) due to writing policy coverage limits in excess of minimum limits; (3) limit to three years time insurer is required to maintain records of cancellations and refusals to renew; (4) delete from insurer penalties (upon finding by Insurance Commissioner of wilful policy cancellation or refusal to renew) power of Commissioner to order insurer to pay reasonable costs and expenses including attorney fees incurred by insured up to \$500; (5) direct Insurance Commissioner to maintained "balanced" Safe Driver Reward Plan through balancing additional premium realized from surcharges against drivers having unsafe driving records with discounts for drivers with safe records; (6) rewrite one ground for non-renewal as a second moving traffic violation (rather than third) within 12 month period by any one person who customarily operates the insured vehicle or an aggregate of four moving traffic violations by all persons customarily operating the insured vehicle; (7) change required mode of notification by insurer of policy cancellation or refusal to renew to require certificate of mailing rather than registered or certified mail with return receipt requested; (8) delete definition of uninsured motorist coverage in GS 20-279.21; and (9) make technical changes and corrections.



SENATE AND HOUSE

CALENDAR ACTION

JUL.15,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 43 FELONY FIREARM ACT.(5/06, 7/14, 7/14) S-REC TO CONCUR IN H AMEND; S-PLACED CAL FOR JULY 16.
S. 74 TUITION AID-MEDICAL STUDENTS.(7/15) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
S. 84 INHERITANCE TAX COLLECTION. H-REPTD FAV.
S. 87 FIREMEN'S DEATH BENEFIT.(2/17, 7/12) H-PASSED 2ND & 3RD READING.
S. 120 PROPERTY TAX RELIEF TO AGED.(5/31, 7/13) S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.
S. 149 TUITION AID-MEDICAL STUDENTS-2.(7/15) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
S. 155 TAX EXEMPTION AGREEMENTS. H-REPTD FAV AS AMENDED.
S. 159 1969 SELF-LIQUIDATING PROJECT. H-PASSED 3RD READING.
#S. 179 PUBLIC DRUNKS, NON-CRIMINAL. S-REPTD UNFAV.
S. 203 INVESTMENT OF FUNDS BY CSC.(5/14, 7/14) S-REC TO CONCUR IN H AMEND; S-PLACED CAL FOR JULY 16.
S. 227 ACCIDENT REPORTS, PARKED AUTOS.(6/10, 7/14) S-REC TO CONCUR IN H AMEND; S-PLACED CAL FOR JULY 16.
S. 271 UNC-G DORM FINANCING. H-PASSED 3RD READING.
S. 272 APPALACHIAN STATE DORM FINANCING. H-PASSED 3RD READING.
S. 274 POLICE OFFICERS, DEATH BENEFITS.(6/11, 6/14, 7/14) S-REC TO CONCUR IN H AMEND; S-PLACED CAL FOR JULY 16.
S. 277 LEGIS. RETIREMENT CONTRIBUTION.(5/19, 7/02, 7/06) S-CONF REPORT ADOPTED; H-CONF REPORT ADOPTED.
S. 300 OLD ROCK HOUSE FUNDS.(7/15) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
S. 326 SOYBEAN & FEED GRAIN FUNDING.(7/15) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
S. 343 BUNKER HILL BRIDGE FUNDS. S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PLACED ON CALENDAR.
S. 375 NAT'L DRIVING CENTER FOUNDATION.(7/15) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
S. 376 ALSTON HOUSE FUNDS. S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PLACED ON CALENDAR.
S. 383 AUTISTIC CHILDREN-TRAINING.(7/14, 7/15) S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
S. 390 STANLY TECHNICAL INSTITUTE FUNDS. S-PLACED CAL FOR JULY 16.

- S. 395 SENATORIAL DISTRICTS.(6/30, 7/12, 7/14, 7/15, 7/15) S-REPTD FAV AS AMENDED; S-COM AMEND ADOPTED; S-FLOOR AMEND ADOPTED; S-PASSED 3RD READING.
- S. 411 CRIMINAL JUSTICE TRAINING COUNCIL.(6/16, 7/14) S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PLACED ON CALENDAR.
- S. 421 JOEL LANE HOUSE FUNDS.(7/15) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- S. 434 MINING ACT FUNDS. S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PLACED ON CALENDAR.
- S. 435 BLANDWOOD RESTORATION FUNDS.(7/15) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- S. 460 WATER,AIR RES.-INTEREST CONFLICT.(6/09, 6/25) S-REC TO CONCUR IN H AMEND; S-PLACED CAL FOR JULY 16.
- S. 465 TEACHER,NC EMPLOYEE MED. BENEFIT.(7/15) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- S. 483 FUNDING DOBBS SCHOOL CHAPEL. S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PLACED ON CALENDAR.
- S. 493 UNC-C STUDENT UNION FUNDS. H-PASSED 3RD READING.
- S. 512 JUVENILE CORRECTION,WORK PAY. H-PASSED 2ND & 3RD READING.
- S. 513 JUVENILE CORRECTION BD. FUNDS. S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PLACED ON CALENDAR.
- S. 522 NCSU TOBACCO RESEARCH-FUNDS.(7/15) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- #S. 523 FARM LAND VALUATION-2.(7/09) H-REPTD UNFAV.
- S. 525 NC PESTICIDE LAW OF 1971-FUNDS.(7/15, 7/15) S-COM AMEND #1 ADOPTED; S-PASSED 2ND & 3RD READING; S-RECONSIDERED 3RD READING; S-RECONSIDERED 2ND READING; S-AMENDMENT RECONSIDERED; S-COM AMEND #2 ADOPTED; S-PASSED 2ND & 3RD READING.
- S. 532 LABOR MANAGERS-LICENSE TAX. H-REPTD FAV.
- S. 556 UNC-W BIO-MED LAB FUNDS. S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PLACED ON CALENDAR.
- S. 560 FALLS RESERV. PROJ.,C&D-US.(7/14) S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PLACED ON CALENDAR.
- S. 567 MORGANTON SCHOOL FOR DEAF FUNDS. S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PLACED ON CALENDAR.
- S. 584 POST OFFICE AND BANK AT WCU. H-PLACED ON CAL JULY 16; H-RETURNED TO CALENDAR; H-PASSED 3RD READING.
- S. 612 RHODODENDRON FESTIVAL FUNDS.(7/14) S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PLACED ON CALENDAR.
- S. 615 INTERNATIONAL COOP. COMM'N-FUNDS.(7/15) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- S. 638 AUTO INSUR. CLASS. 260 PLAN.(6/24) S-CONF REPORT ADOPTED.
- S. 642 NC INDIAN AFFAIRS COMM'N.(6/03, 7/15) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- S. 668 HIGHWAY CONST. CONTRACTS AND BONDS.(6/23) H-PASSED 2ND READING.
- S. 700 WILMINGTON THALIAN HALL RESTOR..(7/15) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- S. 714 DEP'T OF FAMILY MEDICINE-UNC.(7/15) S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING.

- S. 728 CHILDREN'S HOME SOCIETY FUNDS.(7/15) S-COM AMEND ADOPTED;
S-PASSED 2ND & 3RD READING.
- S. 729 DAY-CARE LICENSING FUNDS.(7/14) S-PASSED 2ND & 3RD READING;
H-REC FROM SENATE; H-PLACED ON CALENDAR.
- S. 732 AID TO PRIVATE COLLEGES-FUNDS.(7/15) S-COM AMEND ADOPTED;
S-PASSED 2ND & 3RD READING.
- S. 758 CLEAN WATER BONDS.(7/09, 7/12) H-PASSED 3RD READING.
- S. 770 FORT FISHER RESIDENCE FUNDS. S-PASSED 2ND & 3RD READING; H-REC
FROM SENATE; H-PLACED ON CALENDAR.
- S. 785 VAGABOND DRAMA APPROPRIATION.(7/15) S-COM AMEND ADOPTED;
S-PASSED 2ND & 3RD READING.
- S. 786 PERMIT FEES FOR PEN-RAISED QUAIL.(7/15) H-FLOOR AMEND
ADOPTED; H-PASSED 2ND READING.
- S. 789 FIRST MORTGAGE LENDING LIMIT.(7/07) S-PLACED CAL FOR JULY 16.
- S. 790 SCHOOL COUNSELOR-PRIVILEGED COMM..(7/08) H-CONF REPORT
ADOPTED.
- #S. 800 PUBLIC DRUNK-NON CRIMINAL-2. S-REPTD UNFAV.
- S. 822 HIGHER ED. SELF-LIQUIDATING BONDS. H-REPTD FAV.
- S. 824 AMEND SL 1971,CH. 338-FAC.RETIRE.(6/28) H-PASSED 2ND & 3RD
READING.
- S. 825 SMALL WATERSHED CHANGES.(7/06, 7/15) H-FLOOR AMEND ADOPTED;
H-PASSED 3RD READING; S-REC TO CONCUR IN H AMEND; S-PLACED
ON CALENDAR.
- S. 831 INSURANCE DEPT FUNDS.(7/15) S-COM AMEND ADOPTED; S-PASSED
2ND & 3RD READING.
- S. 838 EDUC. INSTITS.-PAVED STREETS.(7/ (6) H-REPTD FAV.
- S. 848 REGULATING AUTO INSURANCE RATES-4.(7/05, 7/15, 7/15) H-FLOOR
AMEND ADOPTED; H-PASSED 2ND READING; H-FLOOR AMEND ADOPTED;
H-PASSED 3RD READING.
- S. 860 DEP'T JUSTICE CLAIMS FUNDS.(7/15) S-COM AMEND ADOPTED;
S-PASSED 2ND & 3RD READING.
- S. 863 (J.RES.) 'CONVICTION' DEFINITION. H-REC FROM SENATE; H-REF
TO COM ON CALENDAR.
- S. 909 STATE RET.-ADMIN. EXPENSES. H-PASSED 2ND & 3RD READING.
- S. 914 SETTING COUNCIL OF STATE PAY. H-PASSED 2ND & 3RD READING.
- S. 916 GENERAL ASSEMBLY EXPENSE PAYMENTS. H-REPTD FAV.
- #S. 917 CORRECTING EXCESSIVE SENTENCES. H-REPTD UNFAV.
- S. 919 SETTING LT. GOVERNOR'S PAY-2. H-PASSED 2ND & 3RD READING.
- #S. 920 (J.RES.) SOLID WASTE DISPOSAL STUDY. H-POSTPONED INDEF.
- S. 929 AMEND CH. 708,SL 1971-MEDICAID.(7/12) H-PASSED 2ND & 3RD
READING.
- S. 936 (J.RES.) CREATING STATE FAIR COMM'N.(7/14) H-REC FROM SENATE;
H-REF TO COM ON CALENDAR.
- #S. 943 AMEND CH. 241,1971 SL. H-REPTD UNFAV.
- S. 944 FUNDING NC COURTS COMM'N. S-PASSED 2ND READING.
- S. 951 (J.RES.) MEMORIALIZING JAMES A. BRIDGER. H-REPTD FAV.
- S. 952 (J.RES.) MEMORIALIZING DR. DEWEY H. BRIDGER. H-REPTD FAV.
- S. 953 FUNDING MORE DRIVER EDUCATION. S-PASSED 2ND & 3RD READING;
H-REC FROM SENATE; H-PLACED ON CALENDAR.
- S. 956 (J.RES.) MEMORIALIZING ROBERT N. SIMMS,JR.. H-REPTD FAV.
- S. 963 (J.RES.) HONORING PATSY GAIL WOOD. H-REPTD FAV.

- S. 966 LEGIS. RET. COSTS FUNDS. S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-REF TO COM ON APPROPRN.
- S. 969 REPEALING CH. 585, 1971 SL.(7/15) S-FLOOR AMEND ADOPTED.
- S. 972 (J.RES.) AGE OF MAJORITY-LRC STUDY. S-REPTD FAV.
- S. 973 (J.RES.) ST. GOV. REORG.-LRC REVIEW. S-REPTD FAV.
- S. 975 (J.RES.) AUTO INSURANCE STUDY COMM'N. S-REPTD FAV.
- H. 58 BENNETT PLACE APPROPRIATION. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPRN.
- H. 186 TAX EXEMPT MILITARY RETIRED PAY-3.(6/09) S-REPTD FAV AS AMENDED.
- H. 203 YOUTH ADVOCACY COMMISSION.(2/25, 7/12) S-PASSED 2ND & 3RD READING.
- H. 204 YOUTH COMMISSION APPROPRIATION.(7/15) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPRN.
- #H. 210 SLOW VEHICLE REFLECTORS.(3/30, 3/30, 3/31, 7/08, 7/15) S-FLOOR AMEND ADOPTED; S-TABLED.
- #H. 253 TAX EXEMPTION AGREEMENTS. H-REPTD UNFAV.
- H. 260 CENTRAL SCHOOL FOR DEAF. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPRN.
- H. 265 HISTORIC MURFREESBORO.(7/15) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPRN.
- H. 266 AGRICULTURE REGIONAL LAB. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPRN.
- H. 267 COASTAL PLAIN RES. CENT.-FUNDS-1. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPRN.
- H. 273 REGIONAL WATER REVOLVING FUNDS.(7/15) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPRN.
- H. 274 STATE STAFF APPROP.-REG'L WATER.(7/15) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPRN.
- H. 275 TAX CLASSIFICATION-WATER COMPANIES.(7/09, 7/12, 7/13) S-REPTD FAV.
- H. 285 CITIZENSHIP RESTORED.(7/02, 7/07, 7/14) H-REC TO CONCUR IN S AMEND; H-CONCUR IN S AMEND.
- H. 286 INCREASE COMMISSION MEMBERS' PAY.(7/12) S-PASSED 2ND & 3RD READING.
- H. 294 DRUG LAW REVISION.(6/03, 6/07, 7/09, 7/13) H-REC TO CONCUR IN S AMEND; H-CONCUR IN S AMEND.
- H. 318 PUBLIC DRUNKS, NON-CRIMINAL.(6/25, 7/06, 7/14) S-PLACED CAL FOR JULY 16.
- H. 338 VOC-TEXTILE SCHOOL FUNDS.(7/15) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPRN.
- H. 373 HISTORIC HOPE RESTORATION FUNDS.(7/15) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPRN.

- H. 374 NC ORTHOPEDIC HOSPITAL FUNDS. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H. 407 BLIND COMMISSION EMPLOYEES. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H. 418 AERONAUTICS REVISION.(6/04, 7/15) S-COM AMEND ADOPTED; S-PASSED 3RD READING; H-REC TO CONCUR S AMEND; H-CONCUR IN S AMEND.
- H. 431 MEDICAL CARE APPROPRIATION.(7/15) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H. 479 HISTORIC EDENTON FUNDS.(7/15) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H. 480 RENAL DISEASE PROGRAM AND FUNDS. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H. 487 OUT-OF-STATE COSTS-MENTALLY ILL.(7/15) H-COM AMEND ADOPTED; H-PASSED 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H. 519 AYCOCK HISTORIC SITE. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H. 522 WOMEN'S EDUC. & EMPLOYMENT STUDY.(7/15) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H. 547 RESTORING WRIGHT TAVERN FUNDS.(7/15) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H. 564 BURWELL SCHOOL RESTORATION.(7/15) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H. 583 SWINE RESEARCH FACILITY APPROPN. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H. 619 STANLY TECHNICAL INSTITUTE FUNDS.(7/15, 7/15) H-COM AMEND ADOPTED; H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H. 624 RICHMOND HILL HOME FUNDS.(7/15) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H. 652 NEWBOLD-WHITE HOUSE FUNDS.(7/15) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H. 672 OLD WILKES JAIL FUND.(7/15) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H. 697 INDIAN HEALTH APPROPRIATION. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H. 705 COASTAL PROTECTION, BEACH EROSION.(5/27, 5/31, 7/12, 7/13, 7/15) S-FLOOR AMEND ADOPTED; S-PASSED 3RD READING; H-REC FROM SENATE; H-PLACED ON CALENDAR.
- H. 749 DISMAL SWAMP PARK FUNDS.(7/15) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPN.

- H. 811 INDUS. COMM'N EMPLOYEES' PAY. H-PASSED 2ND & 3RD READING;
S-REC FROM HOUSE; S-REF TO CALENDAR COM.
- H. 814 HIGHER ED.-AID, FUNDS.(7/14) H-PASSED 2ND & 3RD READING; S-REC
FROM HOUSE; S-REF TO CALENDAR COM.
- H. 816 DEPT. OF AGRI.-FUNDS.(7/15) H-COM AMEND ADOPTED; H-PASSED
2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON
APPROPRN.
- #H. 834 FARM LAND VALUATION-2.(6/08, 6/09, 7/01) H-REPTD UNFAV.
- H. 840 MANPOWER COUNCIL APPROPRIATION.(7/15) H-COM AMEND ADOPTED;
H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM
ON APPROPRN.
- H. 881 SHIPWRECK SALVAGE APPROP.. H-PASSED 2ND & 3RD READING; S-REC
FROM HOUSE; S-REF TO COM ON APPROPRN.
- H. 910 APPLE RESEARCH FUNDS. H-PASSED 2ND & 3RD READING; S-REC FROM
HOUSE; S-REF TO COM ON APPROPRN.
- H. 914 INCREASED ASSISTANT SOLICITORS.(5/26, 7/12) S-REPTD FAV.
- H. 922 FISHERIES DIVISION APPROPRIATION. H-PASSED 2ND & 3RD READING;
S-REC FROM HOUSE; S-REF TO COM ON APPROPRN.
- H. 943 TEACHER-EMPLOYEE PENSION FUNDS. H-PASSED 2ND & 3RD READING;
S-REC FROM HOUSE; S-REF TO COM ON APPROPRN.
- H. 946 NURSE PRACTITIONER FUNDS.(7/15) H-COM AMEND ADOPTED; H-PASSED
2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON
APPROPRN.
- H. 947 PER DIEM-HANDICAPPED COMMITTEE. S-PASSED 2ND & 3RD READING.
- H. 964 TEACHERS' BARGAINING UNITS. H-POSTPONED TO JULY 16.
- H.1004 HUGGINS TORT CLAIM.(7/12) S-PASSED 2ND READING.
- H.1058 MUNICIPAL BD. OF CONTROL.(7/07, 7/07) S-PASSED 3RD READING.
- #H.1067 ALCOHOLISM EDUCATION TAX. H-REPTD UNFAV.
- H.1069 BEACH EROSION REVOLVING FUNDS.(7/15) H-COM AMEND ADOPTED;
H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM
ON APPROPRN.
- H.1070 SEWAGE DISPOSAL PLANNING ACT FUNDS.(7/15) H-COM AMEND
ADOPTED; H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF
TO COM ON APPROPRN.
- H.1071 REGIONAL SEWAGE REVOLVING FUNDS.(7/15) H-COM AMEND ADOPTED;
H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM
ON APPROPRN.
- H.1072 FLOOD AND BEACH EROSION FUNDS. H-PASSED 2ND & 3RD READING;
S-REC FROM HOUSE; S-REF TO COM ON APPROPRN.
- H.1076 CREATING DRUG AUTHORITY.(6/04, 6/22, 7/08) H-PASSED 2ND &
3RD READING.
- H.1077 DRUG AUTHORITY FUNDS.(7/15, 7/15) H-COM AMEND ADOPTED;
H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM
ON APPROPRN.
- H.1090 GROUNDS FOR DIVORCE-INSANITY.(6/29, 7/15) S-COM AMEND
ADOPTED; S-PASSED 2ND & 3RD READING.
- H.1091 LEGISLATIVE FISCAL RESEARCH FUNDS.(7/15) H-COM AMEND ADOPTED;
H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM
ON APPROPRN.
- H.1128 PUB. BLDGS., SYSTEMS MGMT. LAWS. H-REPTD FAV.

- H.1138 VOCATIONAL REHAB CENTERS-FUNDS.(7/15) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H.1147 BROUGHTON HOSP. NEUROSURGICAL UNIT.(7/15) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H.1158 (J.RES.) CREATING GROWTH PATTERNS COMM'N.(7/07) S-PASSED 2ND & 3RD READING.
- H.1165 MUNICIPAL AUTH.-GRANTS & LOANS.(7/07) S-PASSED 2ND & 3RD READING.
- H.1170 LICENSE PLATE COMMISSION FEE.(7/12) S-REPTD FAV.
- H.1172 EDUCATION EXPENSE GRANTS.(7/09) S-REPTD FAV.
- H.1176 SCHOOL ASSIGNMENT RESTRICTIONS.(7/12) S-REPTD FAV; S-RE-REF COM ON EDUCATN.
- H.1178 ABSENTEE VOTING CHANGES. S-REPTD FAV.
- H.1185 BLOOD BANK RESTRICTION. S-PASSED 2ND & 3RD READING.
- H.1192 NCCU HOME EC BUILDING FUNDS. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H.1193 FIRE INS. STAT. OF LIMITATION-2. S-PASSED 2ND & 3RD READING.
- H.1196 TERM AND PAY OF PRINCIPALS.(7/15) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H.1197 HEALTH BOARDS COMPENSATION. S-PASSED 2ND & 3RD READING.
- H.1198 FINANCIAL RESPONSIBILITY CHANGES.(7/12, 7/12, 7/13, 7/13, 7/15) S-REC FROM HOUSE; S-REF TO COM ON INSUR; S-REPTD FAV AS AMENDED; S-COM AMENDS ADOPTED; S-PASSED 2ND READING.
- H.1207 ECU MED. SCHOOL FUNDS.(7/12) S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H.1210 FIRST MORTGAGE LENDING LIMIT.(6/16, 7/12) S-REPTD FAV.
- H.1214 INSURANCE AGENCY RECORDS.(7/09, 7/12) S-REPTD FAV.
- H.1226 DMV AND SBI COOPERATION. S-PASSED 2ND & 3RD READING.
- H.1232 ZOO AUTHORITY PERSONNEL. S-PASSED 2ND & 3RD READING.
- H.1235 TEACHERS' TERM,PAY.(7/15) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H.1241 CEMETERIES FOR PRIVATE GAIN. S-PASSED 2ND READING.
- H.1243 AMEND H 388. S-PASSED 2ND & 3RD READING.
- H.1244 MARKETING ASSOC. OFFICERS. S-PASSED 2ND & 3RD READING.
- H.1246 NO DISCRIMINATION-BLIND TEACHERS. S-PASSED 2ND READING.
- H.1247 TAX CREDIT-ASSIST HANDICAPPED.(7/12, 7/15) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
- H.1255 (J.RES.) DIPLOMA NURSING SCHOOL ASSIST.(7/12) S-REPTD FAV.
- H.1259 INSURANCE BROKER BONDS. S-REPTD FAV.
- #H.1263 SCHOOL COUNSELOR-PRIVILEGED COMM.. H-POSTPONED INDEF.
- H.1275 (J.RES.) SEDIMENTATION,POLLUTION STUDY. S-REPTD FAV.
- H.1281 PROPERTY INSURANCE AGENTS-EXAM. S-PASSED 2ND & 3RD READING.
- H.1290 PICKING WILD FLOWERS. S-REPTD FAV.
- H.1291 SCHOOL SUPERVISORS-12 MONTH TERM.(7/15) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H.1293 HOUSING AUTHORITY INVESTMENTS.(7/13) S-REPTD FAV AS AMENDED.
- H.1298 (J.RES.) CONTINUING LOC. GOV'T STUDY COMM'N. S-REPTD FAV.

- H.1300 SPCA REALTY-PROPERTY TAX EXEMPT. H-REPTD FAV.
- H.1305 LIMOUSINE VEHICLE LICENSE. S-REPTD FAV.
- H.1306 TRAFFIC LAWS-STATE HOSPITALS. S-REPTD FAV.
- H.1309 RECORDING FORECLOSURES-INDEXING. S-REPTD FAV.
- #H.1315 HIGHER ED. SELF-LIQUIDATING BONDS. H-REPTD UNFAV.
- #H.1325 SMALL WATERSHED CHANGES. H-POSTPONED INDEF.
- H.1336 SPCA PERSONALTY EXEMPT-PROP. TAX. H-REPTD FAV.
- H.1337 CHARLOTTE NAT'L GUARD ARMORY. H-PASSED 2ND & 3RD READING;
S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H.1343 GOVERNOR'S WESTERN MANOR.(7/15) H-COM AMEND ADOPTED; H-PASSED
2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON
APPROPRN.
- H.1349 JUVENILE CORRECTION REVISION. H-POSTPONED TO JULY 19.
- H.1351 COMMUNITY DRUG ABUSE PROGRAM-2. H-PASSED 2ND & 3RD READING;
S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H.1359 CANNED DOG FOOD LAW. H-POSTPONED TO JULY 16.
- H.1371 DEP'T OF PUB. INST. ENVIRON. FUNDS.(7/09, 7/14) S-REPTD FAV.
- H.1378 TAXATION OF ACCTS. RECEIVABLE.(7/07) S-REPTD FAV.
- H.1382 (J.RES.) OPPOSING POLLUTION DILUTION.(7/12) S-PASSED 2ND &
3RD READING.
- H.1383 (J.RES.) PROP. TAX EXEMPT. STUDY COMM'N.(7/13) S-REPTD FAV.
- H.1387 CHOWAN FIRE CONTROL FUNDS.(7/15) H-COM AMEND ADOPTED; H-PASSED
2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON
APPROPRN.
- H.1394 MODIFY APPELATE PROCEDURE. S-REPTD FAV.
- H.1397 MEDICAL PRACTICE TECHNICAL CHANGES.(7/15) H-FLOOR AMEND
ADOPTED; H-PASSED 3RD READING.
- #H.1399 NURSERY PRODUCTS, FARM PLATES. S-REPTD UNFAV.
- H.1401 REGULATING AUTO INSURANCE RATES-4. H-POSTPONED TO JULY 16.
- H.1402 SALES TAX EXEMP.-RESPIRATORS.(7/07) S-REPTD FAV.
- H.1409 EXPANDING COUNTY EMINENT DOMAIN.(7/14) S-REPTD FAV AS
AMENDED.
- H.1410 TRANSFERRING BURIAL ASS'N BENEFITS. S-REPTD FAV.
- H.1414 ZOO CONSTRUCTION BONDS.(7/08) S-PASSED 2ND READING.
- H.1417 DUAL OFFICE HOLDING-2.(7/14) H-PASSED 2ND & 3RD READING.
- H.1422 MUNICIPAL ELECTONS & LAND USE.(7/13) S-REPTD FAV.
- H.1423 (J.RES.) MENTAL HEALTH DEP'T STUDY. S-REC FROM HOUSE; S-REF
TO COM ON CALENDAR.
- H.1425 COMPENSATION OF COUNTY COMM'RS. S-REC FROM HOUSE; S-REF TO
COM ON CALENDAR.
- H.1430 CLEAN WATER BONDS DEBT SERVICE. H-PASSED 2ND & 3RD READING;
S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H.1432 MUNICIPAL GAS SYSTEMS. S-REPTD FAV.
- H.1433 MENT. RETARDED-DAY CARE FUNDS.(7/14) S-REC FROM HOUSE; S-REF
TO COM ON CALENDAR.
- H.1447 CREDITABLE SERVICE-STATE RET.. S-REPTD FAV.
- H.1453 AMEND CH. 688,1971 SL. S-REC FROM HOUSE; S-REF TO COM ON
CALENDAR.
- H.1457 (J.RES.) STUDY COMM'N-SCHOOL UNIONS. H-PASSED 2ND & 3RD
READING.

- H.1461 REVOC. PROCEDURE-INSUR. LICENSE. S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1466 FUNDS FOR AID TO AGED INCREASE. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H.1468 FLOOD, BEACH PROTECTION FUNDS. S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1473 SETTING GOVERNOR'S PAY. S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- #H.1475 SETTING COUNCIL OF STATE PAY. H-REMOVED FROM COM; H-POSTPONED INDEF.
- H.1476 GROUP INSUR.-RETARDED CHILDREN. S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- #H.1479 (J.RES.) SOLID WASTE DISPOSAL STUDY. H-POSTPONED INDEF.
- H.1482 MONROE POULTRY DISEASE LABORATORY. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H.1484 NO WEAPONS FOR INMATES.(7/14, 7/14) H-REC TO CONCUR IN S AMEND; H-CONCUR IN S AMEND.
- H.1499 CHAPTER 18 ELECTIONS-TOWNS.(7/15) H-FLOOR AMENDS ADOPTED; H-PASSED 2ND READING.
- H.1500 EASEMENTS TO FILL GRANTS. S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1503 NUMBERED HOUSE DISTRICTS.(7/14, 7/14, 7/15) H-FLOOR AMEND ADOPTED; H-FLOOR AMEND FAILED; H-PASSED 2ND & 3RD READING.
- H.1505 ECU MED. SCHOOL ON BD. OF ANATOMY. S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1514 18 YEAR OLD TOBACCO WEIGHERS. S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1515 (J.RES.) GOV'TAL IMMUNITY STUDY-LRC. H-PASSED 3RD; S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1523 CLEANING UP POULTRY LAW. H-REC FROM SENATE; H-PASSED 2ND & 3RD READING.
- H.1525 EDUC. OPPORTUNITIES INFO. CENTER.(7/15) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H.1529 ABC TAX FOR MEDICAID. H-REPTD FAV AS AMENDED.
- H.1531 PAY RAISE-CERTAIN STATE POSITIONS.(7/15) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H.1542 AMENDING CH. 806, 1971 SL. S-PASSED 2ND & 3RD READING.
- #H.1543 CONCEALED WEAPONS FOR POLICE. H-REPTD UNFAV.
- #H.1544 (H.RES.) STATE TEXTBOOK COMM'N-LRC STUDY. H-REPTD UNFAV.
- #H.1545 MAINTAINING WATER LEVELS-LAKES. H-REPTD UNFAV.
- #H.1546 AMENDING CH. 708, 1971 SL. H-REPTD UNFAV.
- #H.1547 (J.RES.) CONSULTANTS-DEP'T OF ADMIN-STUDY. H-REPTD UNFAV.
- H.1552 (J.RES.) APPROVE SALARIES FOR ST. OFFICIALS. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPN.
- H.1555 REDEFINES 1ST SECURITY INSTRUMENT-2. H-REPTD FAV.
- H.1557 TAXES FOR PAYMENT OF BONDS. H-REPTD FAV AS AMENDED.
- H.1558 GENERAL ASSEMBLY FUNDS. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON APPROPN.

H.1567 MEMORIALIZING BEDFORD W. BLACK. H-PASSED 2ND & 3RD READING;
S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 313 (RANDOLPH) ADDITIONAL SEAT OF COURT. H-PASSED 2ND & 3RD READING.
- S. 718 (CURRITUCK) HUNTING FOWL-CURRITUCK SOUND.(7/14) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 843 (CALDWELL) LENOIR ELECTIONS.(6/30) H-PASSED 2ND READING.
- S. 865 (GASTON) GASTONIA CHARTER.(7/12) S-CONCURRED IN H AMEND.
- S. 882 (SAMPSON) DEER KILLING FROM BOATS. H-PASSED 2ND & 3RD READING.
- S. 884 (BRUNSWICK) FOX HUNTING. H-PASSED 2ND & 3RD READING.
- S. 899 (IREDELL) SCHOOL BD. COMPENSATION. H-REPTD FAV.
- S. 901 (COLUMBUS) CHADBURN BEER SALES. H-PASSED 2ND & 3RD READING.
- S. 902 (YANCEY) BD. EDUCATION ELECTIONS.(7/12) H-REPTD FAV.
- S. 907 (ANSON) REMOVE EXEMPTION.(7/02) H-REPTD FAV.
- S. 950 (WAYNE) SCHOOL BOND ELECTION. H-REPTD FAV.
- S. 958 (JACKSON) PAY RAISE-BD. OF COMM'RS CH'RMAN. H-REPTD FAV.
- S. 965 (MECKLENBURG) AMENDING CH. 783,1971 SL.(7/14) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 968 (MECKLENBURG) CHARLOTTE FIREMEN'S RET.. S-PLACED CAL FOR JULY 16.
- S. 970 (GUILFORD) GIFT OF LANDS FOR DEAF SCHOOL. S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-REF TO CALENDAR COM.
- S. 978 (EDGEcombe) AMENDING CH. 801,1971 SL. S-REPTD FAV.
- H. 148 (GUILFORD) GREENSBORO ELECTION LAW REPEAL. S-PASSED 2ND & 3RD READING.
- H.1215 (WATAUGA) PUBLIC SCHOOL & COLLEGE COOP.. S-PASSED 2ND & 3RD READING.
- H.1276 (BUNCOMBE, FORSYTH, ORANGE) REGISTERED INSTRUMENTS INDEX. (7/13) S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1323 (GUILFORD) PRIVATE PARKING LOTS.(7/14) S-REPTD FAV.
- H.1391 (RICHMOND) FIRE SERVICE LIENS.(7/08) H-PASSED 2ND & 3RD READING.
- H.1419 (NEW HANOVER) TAX COLLECTION CONSOLIDATION.(7/09) S-PASSED 3RD READING.
- H.1421 (MECKLENBURG) CHARLOTTE CHARTER-RETIREE INSUR..(7/02, 7/14) H-REC TO CONCUR IN S AMEND; H-CONCUR IN S AMEND.
- H.1431 (WAKE) RALEIGH CIVIC CNTR. AUTH..(7/14) S-PASSED 3RD READING; H-REC TO CONCUR S AMEND; H-CONCUR IN S AMEND.
- H.1436 (WAKE) AMEND RALEIGH CHARTER.(6/30, 6/30, 7/13, 7/14) S-PASSED 3RD READING; H-REC FROM SENATE; H-REF TO CALENDAR COM.
- H.1469 (MECKLENBURG) AMEND PINEVILLE CHARTER. S-PASSED 2ND READING.
- #H.1490 (FORSYTH) PURCHASE PREFAB SCHOOLS-2. H-REPTD UNFAV.
- H.1491 (BUNCOMBE) SCHOOL TAX REFERENDUM.(7/09) S-PASSED 2ND READING.
- H.1517 (CATAWBA) ELECTING HICKORY SCHOOL BOARD.(7/12) S-PASSED 3RD READING.

- H 1522 (WAKE) WAKE/RALEIGH BD .EDUC. MERGER VOTE. (7/15) H-REPTD FAV
AS TO COM SUB H-COM SUB ADOPTED H-PASSED 2ND & 3RD READING
S_REC FROM HOUSE S-REF TO COM ON CLAENDAR.
- H 1533 (JACKSON, TRANSYLVANIA) BOOZE BUYING-SYLVA,BREVAR. H-PASSED
2ND & 3RD READING S_REC FROM HOUSE S-REF TO COM ON
CALENDAR
- H 1534 (WAKE) RALEIGH CIVIL SERVICE COMM'N. (7/15) H-FLOOR AMEND
ADOPTED H_PASSED 2ND & 3RD READING S-REC FROM HOUSE S-REF
TO COM ON CALENDAR
- H 1541 (ASHE) W. JEFFERSON & JEFFERSON ABC STORES. (7/15) H-COM
AMEND ADOPTED H-PASSED 2ND & 3RD READING S-REC FROM HOUSE
S-REF TO COM ON CALENDAR
- H 1548 (GUILFORD) GIFT OF LANDS FOR DEAF SCHOOL. H-PASSED 2ND & 3RD
READING S-REC FROM HOUSE S-REF TO COM ON CALENDAR.
- H 1549 (LEE) SANFORD FIREMEN'S PENSION FUND. H-PASSED 2ND & 3RD
READING S-REC FROM HOUSE S-REF TO COM ON CALENDAR.
- H 1554 (LENOIR) LIMIT DEER HUNTING. S-REPTD FAV.
- H 1556 (FORSYTH) BEER & WINE SALES-ACAD. OF DANCE. H-REPTD FAV.
- H 1564 (FORSYTH) PARKING PENALTIES. H-REPTD FAV.

Next Session of House: 9:00 a.m., Friday, July 16, 1971.

Next Session of Senate: 9:30 a.m., Friday, July 16, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

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BULLETIN NO. 133

-1349-

FRIDAY, JULY 16, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 988 (Senate Resolution) Honoring Judge Larkins MISC RES
Introducer: Allsbrook Sent to RULES

"Honoring the contributions of Judge John D. Larkins, Jr., Federal Court Judge, to the field of justice and to the State of North Carolina." As title indicates.

S 989 Reporting drug treatment cases GS 90
Introducer: Burney by request Sent to CALENDAR

"To amend G.S. 90-21.5(b) to provide that persons who voluntarily request treatment from hospitals or physicians for their own drug use, abuse or addiction shall not be reported." As title indicates.

HOUSE

H 1571 (Joint Resolution) Georgia land grab MISC RES
Introducer: Messer and others Passed three readings
and sent to Senate

"Calling on the Governor to take whatever steps necessary to protect, defend and hold inviolate the territorial borders of the State of North Carolina against spurious claims by the State of Georgia." As title indicates. Expresses dim view of Georgia's claims to NC territory in and near Town of Highlands and states such claims should be resisted with vigor.

H 1572 (House Resolution) ABC bills MISC RES
Introducer: J. Brown TABLED

"Establishing proper procedure for the introduction of all bills relating to intoxicating spirits (otherwise known as wine, beer and liquor)." Would have all liquor bills henceforth introduced only by Republicans.

H 1573 (House Resolution) Student-teacher ratio- STUDY
LRC study Sent to CALENDAR
Introducer: Ingram

"Referring the matter of student-teacher classroom ratio to the Legislative Research Commission." Directs LRC to study optimum number of pupils to be assigned to any one teacher of grades one, two or three. Report to be made to 1973 Gen'l Assembly.



LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

None

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

- S 74 Tuition aid-medical students (Iden. H 96, digested in Bulletin No. 12, p. 73; amendment digested in Bulletin No. 132, p. 1327)
Amendments adopted in Senate 7/16/71: (1) provide that Bd. of Higher Ed. shall encourage the two medical schools to encourage students in study of family and community medicine; and (2) add provision that funds to be placed by school in fund to aid needy NC students.
- S 155 Tax exemption agreements (Iden. H 253, digested in Bulletin No. 27, p. 180)
Amendment adopted in House 7/16/71 changes effective date of act from Jan. 1, 1971 to Jan. 1, 1972.
- S 277 Legis. retirement contributions (digested in Bulletin No. 44, p. 317)
Conference Committee report adopted in House and Senate 7/15/71 rejected second House amendment digested in Bulletin No. 126, p. 1236, and accepted House amendment digested in Bulletin No. 123, p. 1202.
- S 486 Reformatories--law rewrite (digested in Bulletin No. 74, p. 590)
Amendment adopted in House 7/16/71: (1) changes the name of the State Board of Juvenile Correction to the State Department of Youth Development; (2) strikes that part of GS 134-22 providing for voluntary application, admission and care in State's juvenile corrections facilities; (3) deletes section (GS 134-30) restoring citizenship upon final release and substitutes new section (GS 134-29) on legal effect of commitment, providing adjudication of delinquency or commitment to State Bd. of Juvenile Correction not to disqualify child under sixteen years old from holding public office or to be considered as conviction of criminal offense or imprisonment for crime or to cause forfeiture of citizenship rights, further provides automatic restoration upon final discharge of all citizenship rights forfeited by child convicted of felony in superior court and committee (4) makes technical changes.
- S 532 Labor managers-license tax (digested in Bulletin No. 79, p. 637)
Amendment adopted in House 7/15/71 limits license tax to maximum of \$100 (was, \$150).
- S 563 Rescue squad death benefits (digested in Bulletin No. 82, p. 675)
Amendment adopted in House 7/16/71 strikes provision that act to apply with respect to any member of a rescue squad killed in discharge of his official duties on or after Jan. 1, 1971.
- S 628 Pub. bldgs., systems mgmt. laws (digested in Bulletin No. 89, p. 756; amendments digested in Bulletin No. 109, p. 996)
Amendment adopted in House 7/16/71 provides automatic data processing provisions of act shall not be construed to prescribe what agency programs to satisfy agency objectives are to be undertaken, nor to remove from the control and administration of the agencies the responsibility for such program efforts whether such efforts are

required specifically by statutes or administered under the general program authority and responsibilities of the agencies.

S 975 Auto insurance study comm'n (digested in Bulletin No. 131, p. 1303)
Amendment adopted in Senate 7/16/71 increases number of Comm'n members required to have legislative experience from four to six--three (rather than two) in Senate, three (rather than two) in House. Strikes provision that one member be trial lawyer engaged in insurance litigation in State.

HOUSE BILLS

H 1205 Tax refunds to fire dep'ts (digested in Bulletin No. 106, p. 958)
Amendment adopted in House 7/16/71 changes effective date of act from upon ratification to October 1, 1971.

H 1293 Housing authority investments (digested in Bulletin No. 111, p. 1019; amendment digested in Bulletin No. 130, p. 1295)
Amendment adopted in Senate 7/16/71 changes word "not" to "note" in clause referring to issuance of bonds notwithstanding other limitations of Chapter (i.e., change word "not" to "note" in line of bill digest (Bulletin No. 130, p. 1295) reading "of Chapter by a not for profit corporate agency of a housing authority secured by rentals").

H 1300 SPCA realty-property tax exempt (digested in Bulletin No. 112, p. 1033)
Amendment adopted in House 7/16/71 conforms statutory reference in act to Ch. 806, 1971 SL (Machinery Act of 1971).

H 1336 SPCA personalty exempt.-prop. tax (digested in Bulletin No. 113, p. 1051)
Amendment adopted in House 7/16/71 conforms statutory reference in act to Ch. 806, 1971 SL (Machinery Act of 1971).

H 1340 General Assembly study comm'n (digested in Bulletin No. 114, p. 1066)
Committee Substitute adopted in Senate and House 7/16/71 rewrites resolution to have Legislative Research Commission make thorough study of operation of General Assembly to determine need to reorganize committee system to conform with new State government reorganization and to make other studies and recommendations to improve operation in interest of good gov't.

H 1457 (Joint Resolution) Study comm'n--school unions (digested in Bulletin No. 120, p. 1159)
Amendment adopted in House 7/16/71 changes composition of Comm'n to the following: 19 members--2 members House of Reps., appointed by Speaker; 2 members Senate, appointed by Pres. Pro Tem.; 4 classroom teachers, 1 principal, 1 supervisor, and 1 superintendent, all appointed by Governor from list of nominees submitted by NC Ass'n of Educators; 1 member State Dep't Pub. Instruction, 3 members NC School Bds. Ass'n, 1 member representing State-supported institutions of higher education, and 1 member representing State-supported community colleges, all also appointed by Governor; 1 parent of child in elementary school and 1 parent of child in high school, both appointed by Governor. Commission to elect ch'mn. and other officers from membership.

SENATE AND HOUSE

CALENDAR ACTION

JUL.16,1971

- NOTES: 1. Includes floor action in both Senate and House.
 2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
 3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
 4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 43 FELONY FIREARM ACT.(5/06, 7/14, 7/14) S-CONCURRED IN H AMENDS.
 S. 74 TUITION AID-MEDICAL STUDENTS.(7/15, 7/16) S-RECONSIDERED 3RD READING; S-COM AMENDS ADOPTED; S-PASSED 3RD READING.
 S. 84 INHERITANCE TAX COLLECTION. H-PASSED 2ND READING.
 #S. 107 LIQUOR LAW REVISION.(3/24, 3/25, 6/29) RATIFIED CH. 872.
 S. 149 TUITION AID-MEDICAL STUDENTS-2.(7/15) H-REC FROM SENATE; H-PLACED ON CALENDAR.
 S. 155 TAX EXEMPTION AGREEMENTS.(7/16) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
 #S. 168 REGIONAL WATER SUPPLY PLANNING. RATIFIED CH. 892.
 S. 203 INVESTMENT OF FUNDS BY CSC.(5/14, 7/14) S-CONCURRED IN H AMEND.
 S. 219 SENTENCE CREDIT PENDING APPEAL.(5/18) H-PASSED 2ND & 3RD READING.
 S. 220 SENTENCE CREDIT PENDING TRIAL.(5/18) H-PASSED 2ND & 3RD READING.
 S. 227 ACCIDENT REPORTS,PARKED AUTOS.(6/10, 7/14) S-CONCURRED IN H AMEND.
 S. 274 POLICE OFFICERS,DEATH BENEFITS.(6/11, 6/14, 7/14) S-CONCURRED IN H AMEND.
 S. 300 OLD ROCK HOUSE FUNDS.(7/15) H-REC FROM SENATE; H-PLACED ON CALENDAR.
 S. 326 SOYBEAN & FEED GRAIN FUNDING.(7/15) H-REC FROM SENATE; H-PLACED ON CALENDAR.
 #S. 332 EXCISE STAMP TAX ON CONVEYANCES.(6/04) H-REPTD UNFAV.
 #S. 335 TORT CLAIMS-STATE LIABILITY. RATIFIED CH. 893.
 S. 343 BUNKER HILL BRIDGE FUNDS. H-PASSED 2ND & 3RD READING.
 #S. 367 UTILITIES COMM'H-SERVICE RESALE.(6/07) RATIFIED CH. 894.
 #S. 370 UTILITIES COMM'H-EXEMPTION-2.(6/07) RATIFIED CH. 895.
 S. 376 ALSTON HOUSE FUNDS. H-PASSED 2ND & 3RD READING.
 S. 377 SERVICE OF PROCESS-ACCEPTANCE.(7/01, 7/02) H-PASSED 2ND & 3RD READING.
 S. 383 AUTISTIC CHILDREN-TRAINING.(7/14, 7/15) H-REC FROM SENATE; H-PLACED ON CALENDAR.
 S. 390 STANLY TECHNICAL INSTITUTE FUNDS. S-PLACED CAL FOR JULY 19.
 S. 411 CRIMINAL JUSTICE TRAINING COUNCIL.(6/16, 7, 14) H-PASSED 2ND & 3RD READING.

- S. 421 JOEL LANE HOUSE FUNDS.(7/15) H-REC FROM SENATE; H-PLACED ON CALENDAR.
- S. 428 VISUAL ENVIRONMENT CONTROLS.(6/23) H-REPTD FAV.
- S. 432 WATER-AIR MANAGEMENT,CONTROLS.(6/29, 7/05, 7/07) H-POSTPONED TO JULY 19.
- S. 434 MINING ACT FUNDS. H-PASSED 2ND & 3RD READING.
- #S. 446 UNIFORM CRIME REPORTING SYSTEM.(6/24) H-REPTD UNFAV.
- S. 460 WATER,AIR RES.-INTEREST CONFLICT.(6/09, 6/25) S-FAILED TO CONCUR; S-CONF COM APPOINTED.
- S. 461 LOAN TRANSFER FEE.(5/11, 7/16) H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING.
- S. 465 TEACHER,NC EMPLOYEE MED. BENEFIT.(7/15) H-REC FROM SENATE; H-PLACED ON CALENDAR.
- S. 483 FUNDING DOBBS SCHOOL CHAPEL. H-PASSED 2ND & 3RD READING.
- S. 486 REFORMATORIES-LAW REWRITE.(7/16) H-FLOOR AMENDS ADOPTED.
- #S. 502 AMENDING ANATOMICAL GIFT ACT.(6/22, 7/08) RATIFIED CH. 873.
- S. 503 ADOPTED CHILD BIRTH CERTIFICATE.(6/24) H-REPTD FAV.
- S. 513 JUVENILE CORRECTION BD. FUNDS. H-PASSED 2ND & 3RD READING.
- S. 514 REDEV. COMM'NS-PRIVATE SALES.(6/18, 6/21) H-PASSED 2ND READING.
- S. 519 JUVENILE'S CITIZENSHIP. H-PASSED 2ND & 3RD READING.
- S. 522 NCSU TOBACCO RESEARCH-FUNDS.(7/15) H-REC FROM SENATE; H-PLACED ON CALENDAR.
- S. 532 LABOR MANAGERS-LICENSE TAX.(7/16) H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING.
- S. 542 MORTUARY TABLES. H-PASSED 2ND & 3RD READING.
- S. 551 CLARIFYING CH.218,SL 1971.(5/19) H-POSTPONED TO JULY 19.
- S. 556 UNC-W BIO-MED LAB FUNDS. H-PASSED 2ND & 3RD READING.
- S. 560 FALLS RESERV. PROJ.,C&D-US.(7/14) H-PASSED 2ND & 3RD READING.
- S. 563 RESCUE SQUAD DEATH BENEFITS.(7/16) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- S. 612 RHODODENDRON FESTIVAL FUNDS.(7/14) H-PASSED 2ND & 3RD READING.
- S. 615 INTERNATIONAL COOP. COMM'N-FUNDS.(7/15) H-REC FROM SENATE; H-PLACED ON CALENDAR.
- S. 628 PUB. BLDGS.,SYSTEMS MGMT. LAWS.(6/14, 7/16) H-REPTD FAV AS AMENDED; H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- S. 642 NC INDIAN AFFAIRS COMM'N.(6/03, 7/15) H-REC FROM SENATE; H-PLACED ON CALENDAR.
- S. 658 DEFAULT JUDGMENTS.(6/25) H-REPTD FAV.
- S. 660 EMINENT DOMAIN-COURT COSTS.(7/06) H-REPTD FAV.
- S. 668 HIGHWAY CONST. CONTRACTS AND BONDS.(6/23) H-PASSED 3RD READING.
- S. 700 WILMINGTON THALIAN HALL RESTOR..(7/15) H-REC FROM SENATE; H-PLACED ON CALENDAR.
- S. 714 DEP'T OF FAMILY MEDICINE-UNC.(7/15) H-REC FROM SENATE; H-PLACED ON CALENDAR.
- #S. 724 SHERIFF'S LEGAL DEFENSE.(7/08, 7/08) H-REPTD UNFAV.
- S. 728 CHILDREN'S HOME SOCIETY FUNDS.(7/15) H-REC FROM SENATE; H-PLACED ON CALENDAR.
- S. 729 DAY-CARE LICENSING FUNDS.(7/14) H-PASSED 2ND & 3RD READING.

- S. 732 AID TO PRIVATE COLLEGES-FUNDS.(7/15) H-REC FROM SENATE;
H-PLACED ON CALENDAR.
- S. 745 ECONOMICS TEACHING FUNDS.(7/12) H-PASSED 2ND & 3RD READING.
- S. 770 FORT FISHER RESIDENCE FUNDS. H-PASSED 2ND & 3RD READING.
- S. 785 VAGABOND DRAMA APPROPRIATION.(7/15) H-REC FROM SENATE;
H-PLACED ON CALENDAR.
- S. 786 PERMIT FEES FOR PEN-RAISED QUAIL.(7/15) H-PASSED 3RD READING.
- S. 789 FIRST MORTGAGE LENDING LIMIT.(7/07) S-PASSED 2ND & 3RD
READING.
- S. 790 SCHOOL COUNSELOR-PRIVILEGED COMM..(7/08) S-CONF REPORT
ADOPTED.
- S. 791 MENTAL RETARDATION COUNCIL.(6/28, 6/28) H-PASSED 2ND & 3RD
READING.
- #S. 802 REGIONAL SEWAGE DISPOSAL SYSTEMS. RATIFIED CH. 870.
- #S. 815 BUS LICENSES. RATIFIED CH. 871.
- S. 816 SEED POTATO LAW CHANGES.(7/06) H-RETPD FAV.
- S. 822 HIGHER ED. SELF-LIQUIDATING BONDS. H-PASSED 2ND READING.
- S. 825 SMALL WATERSHED CHANGES.(7/06, 7/15) S-FAILED TO CONCUR;
S-CONF COM APPOINTED.
- S. 826 GOV'S MANSION BLDG. COMM'N. H-REPTD FAV.
- S. 831 INSURANCE DEPT FUNDS.(7/15) H-REC FROM SENATE; H-PLACED ON
CALENDAR.
- S. 838 EDUC. INSTITS.-PAVED STREETS.(7/06) H-PASSED 2ND & 3RD
READING.
- S. 848 REGULATING AUTO INSURANCE RATES-4.(7/05, 7/15, 7/15) S-REC
TO CONCUR IN H AMEND; S-PLACED CAL FOR JULY 19.
- S. 851 MARINE SCIENCE COUNCIL.(7/06) H-REPTD FAV.
- S. 852 PRIVATE SCHOOL BUSES.(7/06) H-REPTD FAV.
- S. 853 (J.RES.) STUDENT MORALITY.(7/05) H-REPTD FAV.
- S. 855 DETENTION OF MENTALLY ILL.(7/08) H-REPTD FAV.
- #S. 866 CANNED DOGFOOD LAW.(7/05, 7/14) RATIFIED CH. 897.
- #S. 876 COMMERCIAL FISHERIES STUDY COMM'N. RATIFIED RES. 103.
- S. 891 EXEC. ORDERS-PUBLICATION. H-REPTD FAV.
- #S. 905 NO PYRAMID OR CHAIN SCHEMES.(7/08, 7/09) RATIFIED CH. 875.
- S. 908 DRAINAGE DIST. TITLE ACQUISITION. S-REPTD FAV.
- #S. 918 AMEND CH. 512,1971 SL.(7/08) RATIFIED CH. 876.
- #S. 933 (J.RES.) LOCAL GOV'T STUDY COMM'N. H-POSTPONED INDEF.
- #S. 941 CODIFYING CERTAIN 1971 ACTS.(7/14) RATIFIED CH. 896.
- S. 944 FUNDING NC COURTS COMM'N. S-PASSED 3RD READING; H-REC FROM
SENATE; H-PLACED ON CALENDAR.
- S. 953 FUNDING MORE DRIVER EDUCATION. H-PASSED 2ND & 3RD READING.
- S. 956 (J.RES.) MEMORIALIZING ROBERT N. SIMMS,JR.. H-PASSED 2ND&
3RD READING.
- S. 963 (J.RES.) HONORING PATSY GAIL WOOD. H-PASSED 2ND & 3RD
READING.
- #S. 969 REPEALING CH. 585,1971 SL.(7/15) S-FLOOR AMEND FAILED;
S-FAILED 2ND READING.
- S. 973 (J.RES.) ST. GOV. REORG.-LRC REVIEW. S-PASSED 2ND & 3RD
READING.
- S. 975 (J.RES.) AUTO INSURANCE STUDY COMM'N.(7/16) S-FLOOR AMEND
ADOPTED; S-PASSED 2ND & 3RD READING.

- S. 981 LSC MEMBERSHIP. S-REPTD FAV.
- S. 986 (J.RES.) MEMORIALIZING JUDGE MINTZ. S-REPTD FAV.
- S. 987 REDEFINES 1ST SECURITY INSTRUMENT-1. S-REPTD FAV.

- H. 58 BENNETT PLACE APPROPRIATION. S-REPTD FAV.
- H. 186 TAX EXEMPT MILITARY RETIRED PAY-3.(6/09, 7/16) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- H. 204 YOUTH COMMISSION APPROPRIATION.(7/15) S-REPTD FAV.
- #H. 220 CLERKS,MAGISTRATES' SALARIES. RATIFIED CH. 877.
- #H. 243 1967 SELF-LIQUIDATING PROJECT. RATIFIED CH. 878.
- H. 260 CENTRAL SCHOOL FOR DEAF. S-REPTD FAV.
- H. 265 HISTORIC MURFREESBORO.(7/15) S-REPTD FAV.
- H. 266 AGRICULTURE REGIONAL LAB. S-REPTD FAV.
- H. 267 COASTAL PLAIN RES. CENT.-FUNDS-1. S-REPTD FAV.
- H. 273 REGIONAL WATER REVOLVING FUNDS.(7/15) S-REPTD FAV.
- H. 274 STATE STAFF APPROP.-REG'L WATER.(7/15) S-REPTD FAV.
- H. 275 TAX CLASSIFICATION-WATER COMPANIES.(7/09, 7/12, 7/13) S-PASSED 2ND READING.
- #H. 285 CITIZENSHIP RESTORED.(7/02, 7/07, 7/14) RATIFIED CH. 902.
- H. 318 PUBLIC DRUNKS,NON-CRIMINAL.(6/25, 7/06, 7/14) S-FLOOR AMEND FAILED; S-PASSED 2ND READING.
- H. 338 VOC-TEXTILE SCHOOL FUNDS.(7/15) S-REPTD FAV.
- H. 373 HISTORIC HOPE RESTORATION FUNDS.(7/15) S-REPTD FAV.
- H. 374 NC ORTHO. EDIC HOSPITAL FUNDS. S-REPTD FAV.
- #H. 375 VALIDATING FORECLOSURE DATES.(7/06) RATIFIED CH. 879.
- #H. 393 SUBCONTRACTORS' LIENS REWRITE.(6/25, 6/25) RATIFIED CH. 880.
- H. 407 BLIND COMMISSION EMPLOYEES. S-REPTD FAV.
- H. 431 MEDICAL CARE APPROPRIATION.(7/15) S-REPTD FAV.
- H. 479 HISTORIC EDENTON FUNDS.(7/15) S-REPTD FAV.
- H. 480 RENAL DISEASE PROGRAM AND FUNDS. S-REPTD FAV.
- H. 519 AYCOCK HISTORIC SITE. S-REPTD FAV.
- H. 522 WOMEN'S EDUC. & EMPLOYMENT STUDY.(7/15) S-REPTD FAV.
- #H. 543 STATE EMPLOYEES-TRAVEL ALLOWANCE.(7/09) RATIFIED CH. 881.
- H. 547 RESTORING WRIGHT TAVERN FUNDS.(7/15) S-REPTD FAV.
- H. 564 BURWELL SCHOOL RESTORATION.(7/15) S-REPTD FAV.
- H. 583 SWINE RESEARCH FACILITY APPROPRIATION. S-REPTD FAV.
- H. 624 RICHMOND HILL HOME FUNDS.(7/15) S-REPTD FAV.
- H. 652 NEWBOLD-WHITE HOUSE FUNDS.(7/15) S-REPTD FAV.
- H. 672 OLD WILKES JAIL FUND.(7/15) S-REPTD FAV.
- H. 697 INDIAN HEALTH APPROPRIATION. S-REPTD FAV.
- H. 705 COASTAL PROTECTION,BEACH EROSION.(5/27, 5/31, 7/12, 7/13, 7/15) H-REMOVED FROM CALENDAR; H-REF TO COM ON CONS & DEV.
- H. 749 DISMAL SWAMP PARK FUNDS.(7/15) S-REPTD FAV.
- H. 814 HIGHER ED.-AID,FUNDS.(7/14) S-RECALLED FROM COM; S-RE-REF COM ON APPROPRIATION.
- H. 816 DEPT. OF AGRI.-FUNDS.(7/15) S-REPTD FAV.
- H. 840 MANPOWER COUNCIL APPROPRIATION.(7/15) S-REPTD FAV.
- #H. 864 CERTAIN STATE AGENCIES ABOLISHED.(6/30) RATIFIED CH. 882.
- #H. 871 AUTO LITTER BAGS.(6/16) H-POSTPONED INDEF.
- #H. 876 (J.RES.) EXEC. REORG. AMEND-HIGHER ED. H-POSTPONED INDEF.
- H. 881 SHIPWRECK SALVAGE APPROPRIATION. S-REPTD FAV.

- #H. 888 PUBLIC SCHOOL TENURE SYSTEM.(6/23, 6/23, 7/07, 7/07)
RATIFIED CH.883.
- H. 910 APPLE RESEARCH FUNDS. S-REPTD FAV.
- H. 914 INCREASED ASSISTANT SOLICITORS.(5/26, 7/12, 7/16) S-PASSED
2ND & 3RD READING; S-RECONSIDERED 3RD READING; S-FLOOR AMEND
ADOPTED; S-PASSED 3RD READING.
- H. 922 FISHERIES DIVISION APPROPRIATION. S-REPTD FAV.
- H. 943 TEACHER-EMPLOYEE PENSION FUNDS. S-REPTD FAV.
- H. 946 NURSE PRACTITIONER FUNDS.(7/15) S-REPTD FAV.
- #H. 964 TEACHERS' BARGAINING UNITS. H-POSTPONED INDEF.
- H.1004 HUGGINS TORT CLAIM.(7/12) S-PASSED 3RD READING.
- #H.1028 HISTORIC DISTRICTS.(7/07) RATIFIED CH. 884.
- #H.1054 HISTORIC PROPERTY COMMISSIONS.(7/07) RATIFIED CH. 885.
- H.1069 BEACH EROSION REVOLVING FUNDS.(7/15) S-REPTD FAV.
- H.1070 SEWAGE DISPOSAL PLANNING ACT FUNDS.(7/15) S-REPTD FAV.
- H.1071 REGIONAL SEWAGE REVOLVING FUNDS.(7/15) S-REPTD FAV.
- H.1072 FLOOD AND BEACH EROSION FUNDS. S-REPTD FAV.
- H.1077 DRUG AUTHORITY FUNDS.(7/15, 7/15) S-REPTD FAV.
- H.1090 GROUNDS FOR DIVORCE-INSANITY.(6/29, 7/15) H-REC FROM SENATE;
H-FAILED TO CONCUR; H-CONF COM APPOINTED.
- H.1091 LEGISLATIVE FISCAL RESEARCH FUNDS.(7/15) S-REPTD FAV.
- #H.1118 SAVINGS & LOAN LOSS RESERVES. RATIFIED CH. 886.
- H.1128 PUB. BLDGS.,SYSTEMS MGMT. LAWS. H-POSTPONED TO JULY 19.
- #H.1137 BULK TOBACCO BARNS SALES TAX.(6/25) RATIFIED CH. 887.
- H.1138 VOCATIONAL REHAB CENTERS-FUNDS.(7/15) S-REPTD FAV.
- H.1147 BROUGHTON HOSP. NEUROSURGICAL UNIT.(7/15) S-REPTD FAV.
- H.1170 LICENSE PLATE COMMISSION FEE.(7/12) S-PASSED 2ND & 3RD
READING.
- H.1172 EDUCATION EXPENSE GRANTS.(7/09) S-PASSED 2ND & 3RD READING.
- H.1178 ABSENTEE VOTING CHANGES. S-PASSED 2ND & 3RD READING.
- H.1192 NCCU HOME EC BUILDING FUNDS. S-REPTD FAV.
- #H.1194 LABELING APPLES.(7/01, 7/13) RATIFIED CH. 867.
- H.1196 TERM AND PAY OF PRINCIPALS.(7/15) S-REPTD FAV.
- H.1198 FINANCIAL RESPONSIBILITY CHANGES.(7/12, 7/12, 7/13, 7/13,
7/15) S-PASSED 3RD READING.
- H.1205 GAS TAX REFUNDS TO FIRE DEP'TS.(7/16) H-FLOOR AMEND ADOPTED;
H-PASSED 2ND & 3RD READING.
- H.1207 ECU MED. SCHOOL FUNDS.(7/12) S-REPTD FAV.
- H.1210 FIRST MORTGAGE LENDING LIMIT.(6/16, 7/12) S-FLOOR AMENDS
FAILED; S-PASSED 2ND READING.
- #H.1213 SECURITIES INVESTMENT LAW. RATIFIED CH. 888.
- H.1214 INSURANCE AGENCY RECORDS.(7/09, 7/12) S-PASSED 2ND & 3RD
READING.
- H.1231 EXEMPT CHARITABLE INSURERS.(7/12) S-REPTD FAV.
- H.1235 TEACHERS' TERM,PAY.(7/15) S-REPTD FAV.
- H.1241 CEMETERIES FOR PRIVATE GAIN. S-PLACED CAL FOR JULY 19.
- H.1246 NO DISCRIMINATION-BLIND TEACHERS. S-PASSED 3RD READING.
- H.1247 TAX CREDIT-ASSIST HANDICAPPED.(7/12, 7/15) S-PASSED 2ND &
3RD READING.
- H.1255 (J.RES.) DIPLOMA NURSING SCHOOL ASSIST.(7/12) S-PASSED 2ND &
3RD READING.

- H.1259 INSURANCE BROKER BONDS. S-PASSED 2ND & 3RD READING.
- #H.1275 (J.RES.) SEDIMENTATION, POLLUTION STUDY. S-POSTPONED INDEF..
- H.1282 DMV REGISTRATION RECORDS. S-REPTD FAV.
- H.1290 PICKING WILD FLOWERS. S-PASSED 2ND & 3RD READING.
- H.1291 SCHOOL SUPERVISORS-12 MONTH TERM.(7/15) S-REPTD FAV.
- H.1293 HOUSING AUTHORITY INVESTMENTS.(7/13, 7/16) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- H.1294 (J.RES.) PUBLIC HEALTH SERVICES-STUDY COMM'N.(7/13) S-REC FROM HOUSE; S-REF TO COM ON PUB HLTH.
- H.1298 (J.RES.) CONTINUING LOC. GOV'T STUDY COMM'N. S-PASSED 2ND & 3RD READING.
- H.1300 SPCA REALTY-PROPERTY TAX EXEMPT.(7/16) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- H.1305 LIMOUSINE VEHICLE LICENSE. S-PASSED 2ND & 3RD READING.
- H.1306 TRAFFIC LAWS-STATE HOSPITALS. S-PASSED 2ND & 3RD READING.
- H.1309 RECORDING FORECLOSURES-INDEXING. S-PASSED 2ND & 3RD READING.
- H.1327 MARRIAGE LICENSE RETURN. S-REPTD FAV.
- H.1336 SPCA PERSONALTY EXEMPT-PROP. TAX.(7/16) H-FLOOR AMENDMENT ADOPTED; H-PASSED 2ND & 3RD READING.
- H.1337 CHARLOTTE NAT'L GUARD ARMORY. S-REPTD FAV.
- H.1340 (J.RES.) GENERAL ASSEMBLY STUDY COMM'N.(7/16) S-REPTD FAV COM SUBSTITUTE; S-COM SUBSTITUTE ADOPTED.
- H.1341 TRUSTS FOR COUNTIES. S-REPTD FAV.
- H.1342 TOXIC VAPORS ACT. S-REPTD FAV.
- H.1343 GOVERNOR'S WESTERN MANOR.(7/15) S-REPTD FAV.
- H.1351 COMMUNITY DRUG ABUSE PROGRAM-2. S-REPTD FAV.
- H.1371 DEP'T OF PUB. INST. ENVIRON. FUNDS.(7/09, 7/14) S-PASSED 2ND & 3RD READING.
- H.1378 TAXATION OF ACCTS. RECEIVABLE.(7/07) S-PASSED 2ND & 3RD READING.
- H.1383 (J.RES.) PROP. TAX EXEMPT. STUDY COMM'N.(7/13) S-PASSED 2ND & 3RD READING.
- #H.1386 LICENSE FEE, PRACTIC. PSYCHOLOGISTS. RATIFIED CH. 889.
- H.1387 CHOWAN FIRE CONTROL FUNDS.(7/15) S-REPTD FAV.
- H.1394 MODIFY APPELATE PROCEDURE. S-PASSED 2ND & 3RD READING.
- H.1397 MEDICAL PRACTICE TECHNICAL CHANGES.(7/15) S-REC FROM HOUSE; S-REF TO COM ON PUB HLTH.
- H.1401 REGULATING AUTO INSURANCE RATES-4. H-POSTPONED TO JULY 19.
- H.1402 SALES TAX EXEMP.-RESPIRATORS.(7/07) S-PASSED 2ND & 3RD READING.
- H.1409 EXPANDING COUNTY EMINENT DOMAIN.(7/14, 7/16) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- H.1410 TRANSFERRING BURIAL ASS'N BENEFITS. S-PLACED CAL FOR JULY 19.
- H.1414 ZOO CONSTRUCTION BONDS.(7/08) S-PASSED 3RD READING.
- H.1417 DUAL OFFICE HOLDING-2.(7/14) S-REC FROM HOUSE; S-REF TO COM ON CONSTUTN.
- H.1422 MUNICIPAL ELECTONS & LAND USE.(7/13) S-PASSED 2ND & 3RD READING.
- H.1423 (J.RES.) MENTAL HEALTH DEP'T STUDY. S-REPTD FAV; S-RE-REF COM ON RULES.
- H.1425 COMPENSATION OF COUNTY COMM'RS. S-REPTD FAV.

H.1430 CLEAN WATER BONDS DEBT SERVICE. S-REPTD FAV.
H.1432 MUNICIPAL GAS SYSTEMS. S-PLACED CAL FOR JULY 19.
H.1433 MENT. RETARDED-DAY CARE FUNDS. (7/14) S-REPTD FAV.
H.1440 FIRST OFFENDER EXPUNCTION. (7/08) S-REPTD FAV.
H.1447 CREDITABLE SERVICE-STATE RET. S-PASSED 2ND & 3RD READING.
H.1453 AMEND CH. 688, 1971 SL. S-REPTD FAV.
H.1457 (J.RES.) STUDY COMM'N-SCHOOL UNIONS. (7/16) H-FLOOR AMEND
ADOPTED; H-PASSED 3RD READING.
H.1461 REVOC. PROCEDURE-INSUR. LICENSE. S-REPTD FAV.
H.1466 FUNDS FOR AID TO AGED INCREASE. S-REPTD FAV.
H.1468 FLOOD, BEACH PROTECTION FUNDS. S-REPTD FAV.
H.1473 SETTING GOVERNOR'S PAY. S-REPTD FAV.
H.1476 GROUP INSUR.-RETARDED CHILDREN. S-REPTD FAV.
H.1482 MONROE POULTRY DISEASE LABORATORY. S-REPTD FAV.
H.1493 SAVINGS & LOAN CAPITAL STOCK. H-REPTD FAV.
H.1495 CANCEL 1971 ELECTION-18 YR. VOTE. S-REPTD FAV.
H.1500 EASEMENTS TO FILL GRANTS. S-REPTD FAV.
H.1505 ECU MED. SCHOOL ON BD. OF ANATOMY. S-REPTD FAV.
H.1514 18 YEAR OLD TOBACCO WEIGHERS. S-REPTD FAV.
H.1523 CLEANING UP POULTRY LAW. S-REC FROM HOUSE; S-REF TO COM ON
CALENDAR.
H.1525 EDUC. OPPORTUNITIES INFO. CENTER. (7/15) S-REPTD FAV.
H.1529 ABC TAX FOR MEDICAID. H-POSTPONED TO JULY 19.
H.1531 PAY RAISE-CERTAIN STATE POSITIONS. (7/15) S-REPTD FAV.
H.1539 (J.RES.) RETIREMENT CREDIT, MINITARY SERV. H-REPTD FAV.
H.1551 (J.RES.) AUTO INSURANCE STUDY COMM'N. H-PASSED 2ND & 3RD
READING.
H.1555 REDEFINES 1ST SECURITY INSTRUMENT-2. H-PASSED 2ND & 3RD
READING.
H.1557 TAXES FOR PAYMENT OF BONDS. H-PASSED 2ND READING.
H.1558 GENERAL ASSEMBLY FUNDS. S-REPTD FAV.
H.1559 ELECTION LAW TECH. AMENDMENTS. H-REPTD FAV.
H.1562 (J.RES.) ST. GOV. REORG.-LRC REVIEW. H-REPTD FAV.
H.1570 LSC MEMBERSHIP. H-REPTD FAV.
H.1571 GEORGIA LAND GRAB. H-PASSED 2ND & 3RD READING.
#H.1572 ABC BILLS. H-TABLED.

LOCAL BILLS

#S. 313 (RANDOLPH) ADDITIONAL SEAT OF COURT. RATIFIED CH. 898.
#S. 500 (HALIFAX) MORE MAGISTRATES. RATIFIED CH. 865.
#S. 684 (HENDERSON) HENDERSONVILLE CHARTER. (6/22, 7/12) RATIFIED CH.
874.
S. 843 (CALDWELL) LENOIR ELECTIONS. (6/30) H-PASSED 3RD READING.
#S. 882 (SAMPSON) DEER KILLING FROM BOATS. RATIFIED CH. 899.
#S. 884 (BRUNSWICK) FOX HUNTING. RATIFIED CH. 900.
S. 888 (CLEVELAND) DRIVE-IN MOVIES. H-REPTD FAV.
S. 892 (WARREN) COUNTY COMM'RS-4 YEAR TERMS. H-REPTD FAV.
S. 899 (IREDELL) SCHOOL BD. COMPENSATION. H-PASSED 2ND READING.
#S. 901 (COLUMBUS) CHADBOURN BEER SALES. RATIFIED CH. 901.

- S. 902 (YANCEY) BD. EDUCATION ELECTIONS.(7/12) H-PASSED 2ND & 3RD READING.
- S. 907 (ANSON) REMOVE EXEMPTION.(7/02) H-PASSED 2ND & 3RD READING.
- #S. 946 (CASWELL) COUNTY MAGISTRATE INCREASE. RATIFIED CH. 866.
- S. 950 (WAYNE) SCHOOL BOND ELECTION. H-PASSED 2ND READING.
- #S. 954 (WAKE) WAKE/RALEIGH BD. EDUC. MERGER VOTE. S-REPTD UNFAV.
- S. 958 (JACKSON) PAY RAISE-BD. OF COMM'RS CH'RMAN. H-PASSED 2ND & 3RD READING.
- S. 968 (MECKLENBURG) CHARLOTTE FIREMEN'S RET.. S-PLACED CAL FOR JULY 19.
- S. 970 (GUILFORD) GIFT OF LANDS FOR DEAF SCHOOL. H-WITHDRAWN FROM COM; H-PASSED 2ND & 3RD READING.
- S. 978 (EDGEcombe) AMENDING CH. 801,1971 SL. S-PASSED 2ND & 3RD READING.
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- H.1276 (BUNCOMBE, FORSYTH, ORANGE) REGISTERED INSTRUMENTS INDEX. (7/13) S-REPTD FAV.
- H.1323 (GUILFORD) PRIVATE PARKING LOTS.(7/14) S-PASSED 2ND & 3RD READING.
- #H.1421 (MECKLENBURG) CHARLOTTE CHARTER-RETIREE INSUR..(7/02, 7/14) RATIFIED CH. 903.
- H.1431 (WAKE) RALEIGH CIVIC CNTR. AUTH..(7/14) H-CONCUR IN S AMEND.
- H.1436 (WAKE) AMEND RALEIGH CHARTER.(6/30, 6/30, 7/13, 7/14) H-REPTD FAV.
- #H.1442 (WAKE) CARY TOWN CHARTER.(6/30, 7/12) RATIFIED CH. 868.
- #H.1455 (CLEVELAND) PATTERSON SPRINGS INCORPORATION.(7/12) RATIFIED CH. 869.
- #H.1460 (PAMLICO) MINNESOTT BEACH INCORPORATION.(7/07) RATIFIED CH. 890.
- H.1469 (MECKLENBURG) AMEND PINEVILLE CHARTER. S-PASSED 3RD READING.
- H.1491 (BUNCOMBE) SCHOOL TAX REFERENDUM.(7/09) S-PASSED 3RD READING.
- #H.1497 (ROWAN) EAST SPENCER TOWN BD. SALARIES. RATIFIED CH. 891.
- H.1513 (WAKE) RALEIGH/WAKE SOIL EROSION CONTROL. H-FAV AS AMENDED.
- H.1522 (WAKE) WAKE/RALEIGH BD. EDUC. MERGER VOTE.(7/15) S-REPTD FAV.
- #H.1548 (GUILFORD) GIFT OF LANDS FOR DEAF SCHOOL. S-POSTPONED INDEF..
- H.1554 (LENOIR) LIMIT DEER HUNTING. S-RE-REF COM ON CALENDAR.
- H.1556 (FORSYTH) BEER & WINE SALES-ACAD. OF DANCE. H-PASSED 2ND & 3RD READING.
- H.1564 (FORSYTH) PARKING PENALTIES. H-PASSED 2ND READING.

Next Session of House: Monday, July 19, 1971, 2:00 p.m.

Next Session of Senate: Monday, July 19, 1971, 3:00 p.m.

DAILY BULLETIN

The General Assembly of North Carolina

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BULLETIN NO. 134

-1361-

MONDAY, JULY 1~, 1971

AFTERNOON SESSION

PUBLIC BILLS INTRODUCED

SENATE

S 990 (Joint Resolution) Gen'l Assembly adjournment-2
Introducer: Patterson MISC RES
Passed three readings
and sent to House

"Providing for adjournment of the General Assembly on July 21, 1971, to reconvene on October 26, 1971." As title indicates; October session to consider only matters related to restructuring higher education.

HOUSE

H 1574 (Joint Resolution) Memorializing Dr. Dewey H. Bridger (Iden. S 952)
Introducer: Green MISC RES
Passed three readings
and sent to Senate

"Memorializing the late Dr. Dewey H. Bridger." Identical with S 952, digested in Bulletin No. 127, p. 1247.

H 1575 (Joint Resolution) Memorializing James A. Bridger (Iden. S 951)
Introducer: Green MISC RES
Passed three readings
and sent to Senate

"Memorializing the late James Albert Bridger of Bladenboro." Identical with S 951, digested in Bulletin No. 127, p. 1247.

H 1577 Amending Ch. 117, 1971 SL
Introducer: Barbee GS 135
Sent to CALENDAR

"Amending Chapter 117 of the 1971 Session Laws relating to the Teachers' and State Employees' Retirement System." Amendment to Ch. 117, 1971 SL (S 232) effected by bill permits person who withdrew his accumulated contributions after five years of prior service to repay in a lump sum the amount withdrawn plus regular interest thereon from the date of withdrawal through the year of repayment and thereby increase his creditable service by the amount of creditable service lost when his account was closed.

H 1578 (Joint Resolution) Organized Crime Prev. Council
Introducer: Long MISC RES
Passed three readings
and sent to Senate

"Supporting the establishment of the North Carolina Organize Crime Prevention Countil." Supports Gov. in establishing named Council.



H 1579 ABC price incr., med. assist.
Introducer: J. M. Johnson

GS 18, APPROPRIATION
Sent to CALENDAR

"To provide for an increase in the price of alcoholic beverages to aid in financing the medical assistance program." Directs ABC Bd. to cause local ABC bds. to add 10¢ to price of each bottle sold in ABC stores, such price increase not to be subject to ABC tax. Directs monthly remittance of proceeds of price increase to State Treasurer, to be placed in General Fund. Appropriates from the price increase proceeds \$3,900,000 in each year of the biennium to Dep't of Social Services for Medical Assistance Program.

H 1580 18 yr. statutory majority-2
Introducers: Davis and Stevens

GS 1, 7A, 14, 105
Sent to CALENDAR

"To amend the General Statutes to change the majority age from 21 years to 18 years." Changes age reference as title indicates in individual sections of following chapters of General Statutes: 1, 7A, 9, 14, 20, 31, 33, 35, 39, 46, 47, 48, 55, 55A, 58, 66, 76, 83, 85A, 90, 95, 96, 97, 105, 108, 110, 113, 115, 130, 143, 160, 162, 163, and 165. Declares July 5, 1971 as effective date of Chapter 585 of 1971 SL (Senate Bill 4), and provides that for purposes of determining the applicability of the statute of limitations which has been tolled because of minority or for purposes of determining the applicable period of time for disaffirmance of a contract of a minor upon reaching majority, because of a change in applicable law occasioned by either Ch. 585, 1971 SL or this act, the following rules apply: (1) for those persons 18 years of age but not 21 on effective date of applicable law, any time periods for disaffirmance or application of the statute of limitations shall run from July 5, 1971, and (2) for those persons not yet 18, any time periods for disaffirmance or application of the statute of limitations shall run from the person's reaching age 18.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

H 1576 School bd. leases and contracts
Introducers: Odom, McFadyen, Speros and
J. J. Johnson

HOKE, ROBESON, SCOTLAND, GS 115
Passed three readings
and sent to Senate

"To amend G.S. 115-131 as it applies to Hoke, Robeson and Scotland counties to authorize and empower county and city boards of education to enter into long-term and short-term lease, leaseback and lease-purchase contracts with individuals, firms and corporations." Identical with H 1299, digested in Bulletin No. 112, p. 1033, except it applies only to Hoke, Robeson, and Scotland counties.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S - 300 "Old Rock House" funds (Iden. H 491, digested in Bulletin No. 48, p. 345; amendment digested in Bulletin No. 132, p. 1327)
Amendment adopted in House 7/19/71 conditions appropriation on equal amount of non-State funds being raised by local sources for same purpose.

- S 435 Blandwood restoration funds (digested in Bulletin No. 66, p. 505; amendment digested in Bulletin No. 132, p. 1328)
Amendment adopted in House 7/19/71 requires local matching funds before state appropriation to take effect.
- S 525 NC Pesticide Law of 1971-funds (digested in Bulletin No. 78, p. 627; amendment digested in Bulletin No. 132, p. 1328)
Amendment adopted in House 7/19/71 reduces appropriation to NC Agric. Exten. Ser. from \$100,000 for 1971-73 biennium to \$30,000.
- S 552 Nonpayment insur. advances (digested in Bulletin No. 82, p. 673)
Technical amendment adopted in House 7/19/71.

HOUSE BILLS

- H 265 Historic Murfreesboro funds (digested in Bulletin No. 27, p. 182; amendment digested in Bulletin No. 132, p. 1330)
Amendment adopted in Senate 7/19/71 conditions appropriation on equal amount of non-State funds being raised by local sources for same purpose.
- H 373 Historic Hope restoration funds (digested in Bulletin No. 37, p. 264; amendment digested in Bulletin No. 132, p. 1331)
Amendment adopted in Senate 7/19/71 conditions appropriation on equal amount of non-State funds being raised by local sources for same purpose.
- H 479 Historic Edenton funds (digested in Bulletin No. 48, p. 347; amendment digested in Bulletin No. 132, p. 1331)
Amendment adopted in Senate 7/19/71 conditions appropriation on \$15,000 of non-State funds being raised for same purpose.
- H 547 Restoring Wright Tavern (digested in Bulletin No. 56, p. 402; amendment digested in Bulletin No. 132, p. 1331)
Amendment adopted in Senate 7/19/71 conditions appropriation on equal amount being raised from non-State funds for the same purpose.
- H 564 Burwell school restoration (digested in Bulletin No. 56, p. 402; amendment digested in Bulletin No. 132, p. 1331)
Amendment adopted in Senate 7/19/71 conditions appropriation on equal amount of matching funds being raised from non-State funds for same purpose.
- H 705 Coastal protection, beach erosion (Iden. S 431, digested in Bulletin No. 66, p. 505; House Committee Substitute digested in Bulletin No. 97, p. 862; Senate Committee Substitute digested in Bulletin No. 129, p. 1282; amendments digested in Bulletins No. 130, p. 1294 and No. 132, p. 1332)
Amendment adopted in House 7/19/71 deletes from bill the amendment approved by the Senate on 7/15/71 and digested in Bulletin No. 132, p. 1332.
- H 1422 Municipal elections and land use (digested in Bulletin No. 117, p. 1110)
Technical amendment adopted in Senate 7/19/71.
- H 1436 (Wake) Amend Raleigh charter (digested in Bulletin No. 118, p. 1136; amendment digested in Bulletin No. 121, p. 1180; Committee Substitute digested in Bulletin No. 130, p. 1296)
Amendment adopted in House 7/19/71 deletes proposed new Sec. 104, authorizing City to acquire property rights and easements for water or sewer system by condemnation.

H 1499 Chapter 18 elections-towns (digested in Bulletin No. 122, p. 1189; amendment digested in Bulletin No. 132, p. 1334)

Amendments adopted in House 7/19/71: (1) provide that election to be held in accordance with GS 163-287 (added by new Uniform Municipal Election Law - Ch. 835, 1971 SL); (2) change number of petitioners who might force election from 15% of those voting in last municipal election for governing board to 15% of those "qualified" to vote in municipal elections; and (3) modify profit allocation to lower the municipality's share from 75% to 50% and to add a share of 25% to go to the county in which the municipality is located.

H 1513 (Wake) Raleigh/Wake soil erosion control (digested in Bulletin No. 125, p. 1224)

Amendment adopted in House 7/19/71 provides that erosion control ordinances shall not be applicable to the construction, maintenance, or operation of public utilities' facilities as defined in GS 62-3, and electric membership corporations.

H 1529 ABC tax for medicaid (digested in Bulletin No. 128, p. 1262)

Amendments adopted in House 7/19/71 provide all taxes raised by act to be paid into State's General Fund for payment of non-federal costs of Medicaid program, relieving counties of obligation to pay any portion of Medicaid payments (originally, counties received 1/2 of tax funds from act, to be used to pay their share of Medicaid costs); and appropriate \$7,800,000 (\$3,900,000 for each fiscal year of biennium) to Dep't of Social Services to provide for full State assumption of Medicaid costs.

H 1557 Taxes for payment of bonds (digested in Bulletin No. 131, p. 1305)
Technical amendment adopted in House 7/16/71.

EVENING SESSION

PUBLIC BILLS INTRODUCED

SENATE

S 992 Repealing legis. ret. fund GS 120
Introducers: Bagnal and others Sent to CALENDAR

"To repeal Chapter 1269 of the 1969 Session Laws and Chapter 905 of the 1971 Session Laws establishing a Legislative Retirement Fund for certain members of the General Assembly." As title indicates, repeals GS 120-4.1 ("Legislative Retirement Fund").

S 993 Legis. electronic voting units (Iden. H 1581) GS 120
Introducers: Harris and others Sent to RULES

"To provide for the installation of electronic voting units in the Senate and House chambers." Authorizes Legislative Services Comm'n to install electronic voting units in Senate and House chambers prior to 1973 session. Units must be able to produce complete daily journal. LSC not subject to State Purchasing Act and if it decides to purchase units, purchase to be made from Legislative Building Comm'n's capital improvement funds and, if funds insufficient, from C & E Fund.

S 994 Funds for medically needy (Iden. H 1582) APPROPRIATION
Introducer: Allsbrook Sent to APPROPRIATION

"To appropriate funds for the care of medically needy persons in nursing homes." Identical with H 1582, digested in the House section of today's Bulletin.

HOUSE

H 1581 Legis. electronic voting units (Iden. S 993) GS 120
Introducers: Andrews and others Placed on Tuesday's
Calendar

"To provide for the installation of electronic voting units in the Senate and House Chambers." Identical with S 993, digested in the Senate section of today's Bulletin.

H 1582 Funds for medically needy (Iden. S 994) APPROPRIATION
Introducers: Bundy and others Sent to APPROPRN

"To appropriate funds for the care of medically needy persons in nursing homes." Appropriates from General Fund to Dep't of Social Services for use in Medical Assistance Program for nursing home care for eligible medically needy persons \$1,735,000 for each year of 1971-73 biennium.

H 1583 (Joint Resolution) Memorializing David L. MISC RES
Wood Passed three readings
Introducers: Barker and others and sent to Senate

"Honoring the life and memory of David Livingstone 'Libby' Ward, former Speaker of the House." As title indicates.

LOCAL BILLS INTRODUCED

SENATE

S 991 Repealing Fletcher's charter (Iden. H 1589) HENDERSON
Introducer: Alley Sent to CALENDAR

"To repeal the Charter of the Town of Fletcher and to provide for the distribution of the town treasury." As title indicates, repeals Ch. 738, 1969 SL. Funds in treasury and held by the State for the Town to be disbursed as directed by the Municipal Bd. of Control.

HOUSE

H 1584 Repealing Fletcher's charter (Iden. S 991) HENDERSON
Introducer: Mayfield Sent to CALENDAR

"To repeal the charter of the Town of Fletcher and to provide for the distribution of the Town treasury." Identical with S 991, digested in the Senate section of today's Bulletin.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 460 Water, Air Res.-interest conflict (digested in Bulletin No. 70, p. 546;
Committee Substitute digested in Bulletin No. 106, p. 963; amendment
digested in Bulletin No. 118, p. 1136)
Conference Committee report adopted 7/19/71 agrees with House amendments
(digested in Bulletin No. 118, p. 1136) with following modifications: (1) increases
size of board from 11 to 13, by adding two additional public members (thus increasing

public membership from 3 to 5); (2) deletes requirement that one public member be knowledgeable in field of forestry; and (3) provides that local government representative might be experienced in municipal as well as county pollution control problems.

S 569 Civil procedure changes (digested in Bulletin No. 84, p. 695; amendment digested in Bulletin No. 101, p. 904)
Amendments adopted in House 7/19/71: (1) make technical changes; (2) delete extension of alternative method of service under GS 1A-1, Rule 4(j)(9) to cases where foreign corporation's agent cannot with due diligence be served in normal manner, and (3) amend GS 1A-1, Rule 33 ("Interrogatories to parties") to require the party upon whom interrogatories have been served to serve a copy of the answers on the party submitting the interrogatories within 30 days (now, 15 days) after the service of the interrogatories.

S 572 Cause of action accrual (Iden. H 593, digested in Bulletin No. 59, p. 435)
Amendments adopted in Senate 7/19/71: (1) rewrite GS 1-15(b) to provide that except where otherwise provided by statute, a cause of action, other than for wrongful death, having as an essential element bodily injury to the person or a defect in or damage to property which originated under circumstances making the injury, defect or damage not readily apparent to the claimant at the time of its origin, is deemed to have accrued at the time the injury was discovered or ought reasonably to have been discovered by the claimant, whichever event first occurs; provided that in such cases the period shall not exceed 10 years from the last act of the defendant giving rise to the claim for relief; and (2) provide act shall not effect pending litigation.

S 591 Fining WCU traffic offenders (digested in Bulletin No. 86, p. 717)
Amendment adopted in House 7/19/71 ties provision regarding fines for speeding to GS 20-141 and deletes portion imposing fine for driving under the influence of drugs or alcohol.

S 621 Limited driving-old convictions (digested in Bulletin No. 88, p. 746)
Amendments adopted in House 7/19/71: (1) delete provision limited driving privilege must be a condition of a suspended sentence; and (2) add new section giving act retroactive effect to Feb. 19, 1971, and specifically authorizing any judge of district or superior court to grant limited driving privileges as to any judgment issued between Feb. 19, 1971 and date of ratification of act in any criminal action for driving under the influence wherein defendant was prohibited solely by reason of having a prior conviction more than 10 years from date of his conviction.

S 669 Transit system fuel tax refunds (digested in Bulletin No. 94, p. 810)
Amendment adopted in House 7/19/71 makes refund of taxes paid on motor fuels applicable to city transit systems "transporting fare-paying passengers" (adds quoted words) and makes technical amendment.

S 677 Juvenile probation officers-app. (digested in Bulletin No. 94, p. 811)
Amendment adopted in House 7/19/71 makes clear that juvenile probation officers appointed pursuant to act shall not be government employees.

S 718 (Currituck) Hunting fowl-Currituck Sound (digested in Bulletin No. 98, p. 874; amendment digested in Bulletin No. 131, p. 1308)
Amendment adopted in House 7/19/71 adds to Ch. 1436, Sec. 34, 1957 SL, provision that no person may hunt over or adjacent to Currituck Sound within 500 yards of any blind licensed to some other person whether that blind is in use or not.

- S 904 Cap. improvement bond vote (Iden. H 1454, digested in Bulletin No. 120, p. 1158)

Committee Substitute adopted in Senate 7/19/71 provides as follows:

(1) Appropriates from General Fund \$7,520,000 for construction of capital improvements at the State's higher educational institutions: University of North Carolina at Chapel Hill, Dramatic Arts Building \$2,250,000; University of North Carolina at Charlotte, Life Science Building, Planning Funds \$200,000; University of North Carolina at Asheville, Social Sciences Classroom Building \$950,000; University of North Carolina at Wilmington, Marine Sciences and Oceanology Building \$1,570,000; East Carolina University, School of Art Building \$700,000; Appalachian State University, Auditorium-Fine Arts Complex \$1,850,000; (2) incorporates by reference all provisions of Ch. 693, 1971 SL (S 34) applicable to funding, planning and construction of capital improvements for State institutions, departments and agencies; (3) amends Ch. 722, 1971 SL (S 35) by providing \$1,310,000 appropriated in Sec. 2, VI, 1 is to go for School of Art Building rather than to renovation of Wahl-Coats.

HOUSE BILLS

- H 286 Increase commission members' pay (digested in Bulletin No. 30, p. 205; amendment digested in Bulletin No. 129, p. 1278)

Amendment adopted in Senate 7/19/71 deletes proposed rewrite of GS 138-5(a) (which, as amended by amendment digested in Bulletin No. 129, p. 1278, returned the per diem to \$7 per day but did not include the provisions for increasing it to \$25 per day from July 1 through Dec. 31 of even numbered years.)

- H 318 Public drunks, non-criminal (Iden. S 179; digested in Bulletin No. 32, p. 223; House Committee Substitute digested in Bulletin No. 118, p. 1137; Amendment digested in Bulletin No. 125, p. 1226; Senate Committee Substitute digested in Bulletin No. 131, p. 1309)

Amendment adopted in Senate 7/19/71: (1) deletes provision that presumption of being an alcoholic (two convictions of being drunk, or being drunk and disorderly in 12 months) is a "conclusive" presumption; and (2) makes technical correction.

- H 1342 Toxic Vapors Act (digested in Bulletin No. 114, p. 1066)

Amendment adopted in Senate 7/19/71 makes act effective on Jan. 1, 1972, rather than upon ratification.

- H 1432 Municipal gas systems (digested in Bulletin No. 118, p. 1135)

Technical amendment adopted in Senate 7/19/71.

SENATE AND HOUSE

CALENDAR ACTION

JUL.19,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- #S. 43 FELONY FIREARM ACT.(5/06, 7/14, 7/14) RATIFIED CH. 954.
S. 74 TUITION AID-MEDICAL STUDENTS.(7/15, 7/16) H-REC FROM SENATE;
H-PLACED ON CAL JULY 20.
S. 83 CRIMINAL COURT COSTS.(6/28) H-REPTD FAV..
S. 84 INHERITANCE TAX COLLECTION. H-PASSED 3RD READING.
#S. 87 FIREMEN'S DEATH BENEFIT.(2/17, 7/12) RATIFIED CH. 914.
#S. 120 PROPERTY TAX RELIEF TO AGED.(5/31, 7/13) RATIFIED CH. 932.
S. 149 TUITION AID-MEDICAL STUDENTS-2.(7/15) H-PASSED 2ND & 3RD
READING.
S. 155 TAX EXEMPTION AGREEMENTS.(7/16) S-REC TO CONCUR IN H AMEND;
S-CONCURRED IN H AMEND.
#S. 159 1969 SELF-LIQUIDATING PROJECT. RATIFIED CH. 812.
#S. 203 INVESTMENT OF FUNDS BY CSC.(5/14, 7/14) RATIFIED CH. 956.
#S. 219 SENTENCE CREDIT PENDING APPEAL.(5/18) RATIFIED CH. 955.
#S. 220 SENTENCE CREDIT PENDING TRIAL.(5/18) RATIFIED CH. 957.
#S. 227 ACCIDENT REPORTS,PARKED AUTOS.(6/10, 7/14) RATIFIED CH. 958.
#S. 271 UNC-G DORM FINANCING. RATIFIED CH. 904.
#S. 272 APPALACHIAN STATE DORM FINANCING. RATIFIED CH. 906.
#S. 274 POLICE OFFICERS,DEATH BENEFITS.(6/11, 6/14, 7/14) RATIFIED
CH. 960.
#S. 277 LEGIS. RETIREMENT CONTRIBUTION.(5/19, 7/02, 7/06) RATIFIED
CH.905.
S. 300 OLD ROCK HOUSE FUNDS.(7/15, 7/19) H-FLOOR AMEND ADOPTED;
H-PASSED 2ND & 3RD READING; S-REC TO CONCUR IN H AMEND;
S-CONCURRED IN H AMEND.
S. 323 UNCONSCIONABLE CONTRACTS REMEDY. H-PASSED 2ND & 3RD READING.
S. 326 SOYBEAN & FEED GRAIN FUNDING.(7/15) H-PASSED 2ND & 3RD
READING.
#S. 343 BUNKER HILL BRIDGE FUNDS. RATIFIED CH. 959.
S. 375 NAT'L DRIVING CENTER FOUNDATION.(7/15) H-PASSED 2ND & 3RD
READING.
#S. 376 ALSTON HOUSE FUNDS. RATIFIED CH. 961.
#S. 377 SERVICE OF PROCESS-ACCEPTANCE.(7/01, 7/02) RATIFIED CH. 962.
S. 383 AUTISTIC CHILDREN-TRAINING.(7/14, 7/15) H-PASSED 2ND & 3RD
READING.
S. 390 STANLY TECHNICAL INSTITUTE FUNDS. S-PLACED ON CAL JULY 20.
S. 395 SENATORIAL DISTRICTS.(6/30, 7/12, 7/14, 7/15, 7/15) H-REC
FROM SENATE; H-REF TO COM ON CALENDAR.

- #S. 411 CRIMINAL JUSTICE TRAINING COUNCIL.(6/16, 7/14) RATIFIED CH. 963.
- S. 421 JOEL LANE HOUSE FUNDS.(7/15) H-PASSED 2ND & 3RD READING.
- S. 428 VISUAL ENVIRONMENT CONTROLS.(6/23) H-PASSED 2ND & 3RD READING.
- S. 432 WATER-AIR MANAGEMENT,CONTROLS.(6/29, 7/05, 7/07) H-POSTPONED TO JULY 20.
- #S. 434 MINING ACT FUNDS. RATIFIED CH. 964.
- S. 435 BLANDWOOD RESTORATION FUNDS.(7/15, 7/19) H-REC FROM SENATE; H-PLACED ON CALENDAR; H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING; S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.
- S. 460 WATER,AIR RES.-INTEREST CONFLICT.(6/09, 6/25) S-CONF REPORT ADOPTED.
- S. 465 TEACHER,NC EMPLOYEE MED. BENEFIT.(7/15) H-PASSED 2ND & 3RD READING.
- #S. 483 FUNDING DOBBS SCHOOL CHAPEL. RATIFIED CH. 965.
- #S. 493 UNC-C STUDENT UNION FUNDS. RATIFIED CH. 907.
- S. 503 ADOPTED CHILD BIRTH CERTIFICATE.(6/24) H-PASSED 2ND & 3RD READING.
- #S. 512 JUVENILE CORRECTION,WORK PAY. RATIFIED CH. 933.
- #S. 513 JUVENILE CORRECTION BD. FUNDS. RATIFIED CH. 966.
- S. 514 REDEV. COMM'NS-PRIVATE SALES.(6/18, 6/21) H-PASSED 3RD READING.
- #S. 519 JUVENILE'S CITIZENSHIP. RATIFIED CH. 967.
- S. 522 NCSU TOBACCO RESEARCH-FUNDS.(7/15) H-PASSED 2ND & 3RD READING.
- S. 525 NC PESTICIDE LAW OF 1971-FUNDS.(7/15, 7/15, 7/19) H-REC FROM SENATE; H-PLACED ON CALENDAR; H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING; S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.
- S. 532 LABOR MANAGERS-LICENSE TAX.(7/16) H-PASSED 3RD READING; S-REC TO CONCUR IN H AMEND; S-PLACED ON CAL JULY 20.
- #S. 542 MORTUARY TABLES. RATIFIED CH. 968.
- S. 551 CLARIFYING CH.218,SL 1971.(5/19) H-PASSED 2ND READING.
- #S. 552 NONPAYMENT INSUR. ADVANCES.(7/19) H-FLOOR AMEND ADOPTED; H-FAILED 2ND READING.
- #S. 556 UNC-W BIO-MED LAB FUNDS. RATIFIED CH. 969.
- #S. 560 FALLS RESERV. PROJ.,C&D-US.(7/14) RATIFIED CH 970.
- S. 563 RESCUE SQUAD DEATH BENEFITS.(7/16) S-REC TO CONCUR IN H AMEND; S-PLACED ON CAL JULY 20.
- S. 567 MORGANTON SCHOOL FOR DEAF FUNDS. H-PASSED 2ND & 3RD READING.
- S. 569 CIVIL PROCEDURE CHANGES.(6/02, 7/19, 7/19) H-COM AMEND ADOPTED; H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- #S. 572 CAUSE OF ACTION ACCRUAL.(5/20, 7/19, 7/19) H-COM AMEND ADOPTED; H-COM AMEND FAILED; H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- S. 577 PURCHASED GAS ADJUSTMENT CLAUSES.(6/01) H-PASSED 2ND & 3RD READING.
- S. 581 HANDLERS OF FARM PRODUCTS.(5/21, 5/26) H-PASSED 2ND & 3RD READING.

- #S. 584 POST OFFICE AND BANK AT WCU. RATIFIED CH. 915.
- S. 586 DIVORCE VALIDATIONS. H-PASSED 2ND & 3RD READING.
- S. 591 FINING WCU TRAFFIC OFFENDERS.(7/19) H-FLOOR AMEND ADOPTED;
S-PASSED 2ND & 3RD READING.
- S. 595 TECHNICAL CORRECTIONS-GEN. STATS..(6/15) H-PASSED 2ND & 3RD
READING.
- #S. 612 RHODODENDRON FESTIVAL FUNDS.(7/14) RATIFIED CH. 971.
- S. 615 INTERNATIONAL COOP. COMM'N-FUNDS.(7/15) H-PASSED 2ND & 3RD
READING.
- S. 621 LIMITED DRIVING-OLD CONVICTIONS.(7/19, 7/19) H-COM AMEND
ADOPTED; H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- S. 625 LITERARY FUND INTEREST RATE. H-PASSED 2ND & 3RD READING.
- S. 626 SCHOOL UNIT EMPLOYEE BONDS. H-PASSED 2ND & 3RD READING.
- S. 627 USE OF LITERARY FUND LOANS. H-PASSED 2ND & 3RD READING.
- S. 628 PUB. BLDGS., SYSTEMS MGMT. LAWS.(6/14, 7/16) S-REC TO CONCUR
IN H AMEND; S-CONCURRED IN H AMEND.
- #S. 638 AUTO INSUR. CLASS. 260 PLAN.(6/24) RATIFIED CH. 908.
- S. 642 NC INDIAN AFFAIRS COMM'N.(6/03, 7/15) H-PASSED 2ND & 3RD
READING.
- S. 655 PORK PRICING STUDY COMM'N. H-PASSED 2ND & 3RD READING.
- S. 656 OFF-SITE COMPONENTS APPROVAL. H-PASSED 2ND & 3RD READING.
- S. 657 BUILDING CODE CLARIFICATION.(6/18, 6/22) H-PASSED 2ND & 3RD
READING.
- S. 658 DEFAULT JUDGMENTS.(6/25) H-PASSED 2ND & 3RD READING.
- S. 660 EMINENT DOMAIN-COURT COSTS.(7/06) H-PASSED 2ND & 3RD READING.
- S. 661 HIGHWAY COMMISSION LEGAL COUNSEL. H-PASSED 2ND & 3RD READING.
- S. 662 HIGHWAY RELOCATION ASSISTANCE. H-PASSED 2ND & 3RD READING.
- S. 663 CONDEMNATION FOR PARKWAYS. H-PASSED 2ND & 3RD READING.
- S. 665 HIGHWAY DISTRICT CAMP SITES. H-PASSED 2ND & 3RD READING.
- S. 667 UNIFORM RELOCATION ASSISTANCE ACT.(6/16) H-PASSED 2ND & 3RD
READING.
- #S. 668 HIGHWAY CONST. CONTRACTS AND BONDS.(6/23) RATIFIED CH 972.
- S. 669 TRANSIT SYSTEM FUEL TAX REFUNDS.(6/14, 7/19) H-FLOOR AMEND
ADOPTED.
- S. 674 OCCUPATIONAL DEAFNESS, COMP..(6/25) H-PASSED 2ND & 3RD
READING.
- S. 677 JUVENILE PROBATION OFFICERS-APP..(7/19) H-COM AMEND ADOPTED;
H-PASSED 2ND & 3RD READING.
- S. 678 ESCHEAT PENALTY. H-PASSED 2ND & 3RD READING.
- S. 679 ESCHEAT REPORTS. H-PASSED 2ND & 3RD READING.
- S. 681 ESCHEAT LAW REVISION.(6/25) H-PASSED 2ND & 3RD READING.
- S. 682 ESCHEAT-FEDERAL COURT. H-PASSED 2ND & 3RD READING.
- S. 700 WILMINGTON THALIAN HALL RESTOR..(7/15) H-PASSED 2ND & 3RD
READING.
- S. 714 DEP'T OF FAMILY MEDICINE-UNC.(7/15) H-PASSED 2ND & 3RD
READING.
- S. 728 CHILDREN'S HOME SOCIETY FUNDS.(7/15) H-PASSED 2ND & 3RD
READING.
- #S. 729 DAY-CARE LICENSING FUNDS.(7/14) RATIFIED CH. 973.
- S. 732 AID TO PRIVATE COLLEGES-FUNDS.(7/15) H-PASSED 2ND & 3RD
READING.

- #S. 745 ECONOMICS TEACHING FUNDS.(7/12) RATIFIED CH 974.
- #S. 758 CLEAN WATER BONDS.(7/09, 7/12) RATIFIED CH. 909.
- #S. 770 FORT FISHER RESIDENCE FUNDS. RATIFIED CH. 975.
- S. 785 VAGABOND DRAMA APPROPRIATION.(7/15) H-PASSED 2ND & 3RD READING.
- S. 786 PERMIT FEES FOR PEN-RAISED QUAIL.(7/15) S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.
- #S. 789 FIRST MORTGAGE LENDING LIMIT.(7/07) S-TABLED.
- #S. 790 SCHOOL COUNSELOR-PRIVILEGED COMM..(7/08) RATIFIED CH. 943.
- #S. 791 MENTAL RETARDATION COUNCIL.(6/28, 6/28) RATIFIED CH. 976.
- S. 822 HIGHER ED. SELF-LIQUIDATING BONDS. H-PASSED 3RD READING.
- #S. 824 AMEND SL 1971, CH. 338-FAC.RETIRE.(6/28) RATIFIED CH. 916.
- S. 831 INSURANCE DEPT FUNDS.(7/15) H-PASSED 2ND & 3RD READING.
- S. 832 ASS'T SCHOOL SUPT CONTRACTS. H-REPTD FAV.
- #S. 838 EDUC. INSTITS.-PAVED STREETS.(7/06) RATIFIED CH. 977.
- S. 848 REGULATING AUTO INSURANCE RATES-4.(7/05, 7/15, 7/15) S-CONCURRED IN H AMENDS.
- S. 860 DEP'T JUSTICE CLAIMS FUNDS.(7/15) H-PASSED 2ND & 3RD READING.
- S. 863 (J.RES.) 'CONVICTION' DEFINITION. H-REPTD FAV.
- S. 895 POSSESSORY LIEN; CORRECTION-2. H-REPTD FAV.
- S. 904 CAP. IMPROVEMENT BOND VOTE.(7/19) S-REPTD FAV COM SUBSTITUTE; S-COM SUB ADOPTED.
- S. 908 DRAINAGE DIST. TITLE ACQUISITION. S-PASSED 2ND & 3RD READING.
- #S. 909 STATE RET.-ADMIN. EXPENSES. RATIFIED CH. 911.
- #S. 914 SETTING COUNCIL OF STATE PAY. RATIFIED CH. 912.
- #S. 919 SETTING LT. GOVERNOR'S PAY-2. RATIFIED CH. 913.
- S. 924 INSURANCE LAPSE HEARINGS. H-REPTD FAV.
- #S. 929 AMEND CH. 708, SL 1971-MEDICAID.(7/12) RATIFIED CH. 934.
- S. 936 (J.RES.) CREATING STATE FAIR COMM'N.(7/14) H-REPTD FAV.
- S. 944 FUNDING NC COURTS COMM'N. H-PASSED 2ND & 3RD READING.
- #S. 951 (J.RES.) MEMORIALIZING JAMES A. BRIDGER. H-POSTPONED INDEF.
- #S. 952 (J.RES.) MEMORIALIZING DR. DEWEY H. BRIDGER. H-POSTPONED INDEF.
- #S. 966 LEGIS. RET. COSTS FUNDS. H-WITHDRAWN FROM COM; H-PLACED ON CALENDAR; H-FAILED 2ND READING.
- #S. 972 (J.RES.) AGE OF MAJORITY-LRC STUDY.(7/19, 7/19) S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-COM AMEND ADOPTED; H-COM AMEND FAILED; H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- S. 973 (J.RES.) ST. GOV. REORG.-LRC REVIEW. H-REC FROM SENATE; H-REF TO CALENDAR COM.
- S. 975 (J.RES.) AUTO INSURANCE STUDY COMM'N.(7/16) H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- #S. 980 (J.RES.) GOV'S PLANS FOR SOUTHEASTERN NC. S-REPTD UNFAV.
- S. 981 LSC MEMBERSHIP. S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PASSED 2ND & 3RD READING.
- S. 985 UNUSED MATCHING FUNDS. S-REPTD FAV.
- S. 986 (J.RES.) MEMORIALIZING JUDGE MINTZ. S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 987 REDEFINES 1ST SECURITY INSTRUMENT-1. S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-REF TO COM ON CALENDAR.

- S. 990 (J.RES.) GEN'L ASSEMBLY ADJOURNMENT-2. S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PASSED 2ND & 3RD READING.
- H. 8 LEGISLATIVE RETIREMENT AND REPEAL. H-REMOVED FROM UNFAV CAL; H-PLACED ON CALENDAR.
- H. 58 BENNETT PLACE APPROPRIATION. S-PASSED 2ND & 3RD READING.
- H. 186 TAX EXEMPT MILITARY RETIRED PAY-3.(6/09, 7/16) H-REC TO CONCUR IN S AMEND; H-CONCUR IN S AMEND.
- #H. 203 YOUTH ADVOCACY COMMISSION.(2/25, 7/12) RATIFIED CH. 935.
- H. 204 YOUTH COMMISSION APPROPRIATION.(7/15) S-PASSED 2ND & 3RD READING.
- H. 260 CENTRAL SCHOOL FOR DEAF. S-PASSED 2ND & 3RD READING.
- H. 265 HISTORIC MURFREESBORO.(7/15, 7/19) S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING; H-REC TO CONCUR IN S AMEND; H-HOUSE CONCURS IN S AMEND.
- H. 266 AGRICULTURE REGIONAL LAB. S-PASSED 2ND & 3RD READING.
- H. 267 COASTAL PLAIN RES. CENT.-FUNDS-1. S-PASSED 2ND & 3RD READING.
- H. 273 REGIONAL WATER REVOLVING FUNDS.(7/15) S-PASSED 2ND & 3RD READING.
- H. 274 STATE STAFF APPROP.-REG'L WATER.(7/15) S-PASSED 2ND & 3RD READING.
- H. 275 TAX CLASSIFICATION-WATER COMPANIES.(7/09, 7/12, 7/13) S-PASSED 3RD READING.
- H. 286 INCREASE COMMISSION MEMBERS' PAY.(7/12, 7/19) S-RECONSIDERED 3RD READING; S-FLOOR AMEND ADOPTED; S-PASSED 3RD READING.
- #H. 294 DRUG LAW REVISION.(6/03, 6/07, 7/09, 7/13) RATIFIED CH. 919.
- H. 318 PUBLIC DRUNKS, NON-CRIMINAL.(6/25, 7/06, 7/14, 7/19) S-FLOOR AMEND ADOPTED; S-PASSED 3RD READING.
- H. 338 VOC-TEXTILE SCHOOL FUNDS.(7/15) S-PASSED 2ND & 3RD READING.
- H. 373 HISTORIC HOPE RESTORATION FUNDS.(7/15, 7/19) S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING; H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- H. 374 NC ORTHOPEDIC HOSPITAL FUNDS. S-PASSED 2ND & 3RD READING.
- H. 407 BLIND COMMISSION EMPLOYEES. S-PASSED 2ND & 3RD READING.
- H. 418 AERONAUTICS REVISION.(6/04, 7/15) H-RATIFIED CH. 936.
- H. 431 MEDICAL CARE APPROPRIATION.(7/15) S-PASSED 2ND & 3RD READING.
- H. 479 HISTORIC EDENTON FUNDS.(7/15, 7/19) S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING; H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- H. 480 RENAL DISEASE PROGRAM AND FUNDS. S-PASSED 2ND & 3RD READING.
- H. 487 OUT-OF-STATE COSTS-MENTALLY ILL.(7/15) S-REPTD FAV.
- H. 519 AYCOCK HISTORIC SITE. S-PASSED 2ND & 3RD READING.
- H. 522 WOMEN'S EDUC. & EMPLOYMENT STUDY.(7/15) S-PASSED 2ND & 3RD READING.
- H. 547 RESTORING WRIGHT TAVERN FUNDS.(7/15, 7/19) S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING; H-REC TO CONCUR IN S AMEND; H-CONCURRED IN S AMEND.
- H. 564 BURWELL SCHOOL RESTORATION.(7/15, 7/19) S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING; H-REC TO CONCUR IN S AMEND.

- H. 583 SWINE RESEARCH FACILITY APPROPRIATION. S-PASSED 2ND & 3RD READING.
- H. 619 STANLY TECHNICAL INSTITUTE FUNDS.(7/15, 7/15) S-REPTD FAV.
- H. 624 RICHMOND HILL HOME FUNDS.(7/15) S-PASSED 2ND & 3RD READING.
- H. 652 NEWBOLD-WHITE HOUSE FUNDS.(7/15) S-PASSED 2ND & 3RD READING.
- H. 672 OLD WILKES JAIL FUND.(7/15) S-PASSED 2ND & 3RD READING.
- H. 697 INDIAN HEALTH APPROPRIATION. S-PASSED 2ND & 3RD READING.
- H. 705 COASTAL PROTECTION, BEACH EROSION.(5/27, 5/31, 7/12, 7/13, 7/15, 7/19) H-REPTD FAV AS AMEND; H-COM AMEND ADOPTED.
- H. 749 DISMAL SWAMP PARK FUNDS.(7/15) S-PASSED 2ND & 3RD READING.
- H. 811 INDUS. COMM'N EMPLOYEES' PAY. S-REPTD FAV.
- H. 814 HIGHER ED.-AID, FUNDS.(7/14) S-REPTD FAV.
- H. 816 DEPT. OF AGRI.-FUNDS.(7/15) S-PASSED 2ND & 3RD READING.
- H. 840 MANPOWER COUNCIL APPROPRIATION.(7/15) S-PASSED 2ND & 3RD READING.
- H. 881 SHIPWRECK SALVAGE APPROP.. S-PASSED 2ND & 3RD READING.
- H. 910 APPLE RESEARCH FUNDS. S-PASSED 2ND & 3RD READING.
- H. 914 INCREASED ASSISTANT SOLICITORS.(5/26, 7/12, 7/16) H-REC TO CONCUR IN S AMEND; H-CONCUR IN S AMEND.
- H. 916 APPLY NC LAW TO FOREIGN INSURERS.(7/13) S-REPTD FAV.
- H. 922 FISHERIES DIVISION APPROPRIATION. S-PASSED 2ND & 3RD READING.
- H. 943 TEACHER EMPLOYEE PENSION FUNDS. S-PASSED 2ND & 3RD READING.
- H. 946 NURSE PRACTITIONER FUNDS.(7/15) S-PASSED 2ND & 3RD READING.
- #H. 947 PER DIEM-HANDICAPPED COMMITTEE. RATIFIED CH. 920.
- #H.1004 HUGGINS TORT CLAIM.(7/12) RATIFIED CH. 944.
- #H.1058 MUNICIPAL BD. OF CONTROL.(7/07, 7/07) RATIFIED CH. 921.
- H.1069 BEACH EROSION REVOLVING FUNDS.(7/15) S-PASSED 2ND & 3RD READING.
- H.1070 SEWAGE DISPOSAL PLANNING ACT FUNDS.(7/15) S-PASSED 2ND & 3RD READING.
- H.1071 REGIONAL SEWAGE REVOLVING FUNDS.(7/15) S-PASSED 2ND & 3RD READING.
- H.1072 FLOOD AND BEACH EROSION FUNDS. S-PASSED 2ND & 3RD READING.
- #H.1076 CREATING DRUG AUTHORITY.(6/04, 6/22, 7/08) RATIFIED CH. 922.
- H.1077 DRUG AUTHORITY FUNDS.(7/15, 7/15) S-PASSED 2ND & 3RD READING.
- H.1091 LEGISLATIVE FISCAL RESEARCH FUNDS.(7/15) S-PASSED 2ND & 3RD READING.
- H.1128 PUB. BLDGS., SYSTEMS MGMT. LAWS. H-POSTPONED TO JULY 20.
- H.1138 VOCATIONAL REHAB CENTERS-FUNDS.(7/15) S-PASSED 2ND & 3RD READING.
- H.1147 BROUGHTON HOSP. NEUROSURGICAL UNIT.(7/15) S-PASSED 2ND & 3RD READING.
- #H.1158 (J.RES.) CREATING GROWTH PATTERNS COMM'N.(7/07) RATIFIED RES. 105.
- #H.1165 MUNICIPAL AUTH.-GRANTS & LOANS.(7/07) RATIFIED CH. 937.
- #H.1170 LICENSE PLATE COMMISSION FEE.(7/12) RATIFIED CH. 945.
- #H.1172 EDUCATION EXPENSE GRANTS.(7/09) RATIFIED CH. 946.
- #H.1178 ABSENTEE VOTING CHANGES. RATIFIED CH. 947.
- #H.1180 RESTRICT SINGLE SHOT-STATEWIDE. H-REPTD UNFAV..
- #H.1185 BLOOD BANK RESTRICTION. RATIFIED CH. 938.
- H.1192 NCCU HOME EC BUILDING FUNDS. S-PASSED 2ND & 3RD READING.

- #H.1193 FIRE INS. STAT. OF LIMITATION-2. RATIFIED CH. 939.
- H.1196 TERM AND PAY OF PRINCIPALS.(7/15) S-PASSED 2ND & 3RD READING.
- #H.1197 HEALTH BOARDS COMPENSATION. RATIFIED CH. 940.
- H.1198 FINANCIAL RESPONSIBILITY CHANGES.(7/12, 7/12, 7/13, 7/13, 7/15) H-REC TO CONCUR IN S AMEND; H-FAILED TO CONCUR; H-CONF COM APPOINTED.
- H.1205 GAS TAX REFUNDS TO FIRE DEP'TS.(7/16) S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1207 ECU MED. SCHOOL FUNDS.(7/12) S-FLOOR AMEND FAILED; S-PASSED 2ND & 3RD READING.
- H.1210 FIRST MORTGAGE LENDING LIMIT.(6/16, 7/12) S-PASSED 3RD READING.
- #H.1214 INSURANCE AGENCY RECORDS.(7/09, 7/12) RATIFIED CH. 948.
- #H.1226 DMV AND SBI COOPERATION. RATIFIED CH. 942.
- H.1231 EXEMPT CHARITABLE INSURERS.(7/12) S-PASSED 2ND & 3RD READING.
- #H.1232 ZOO AUTHORITY PERSONNEL. RATIFIED CH. 923.
- H.1235 TEACHERS' TERM,PAY.(7/15) S-PASSED 2ND & 3RD READING.
- H.1241 CEMETERIES FOR PRIVATE GAIN. S-PLACED ON CAL JULY 20.
- #H.1243 AMEND H 388. RATIFIED CH. 924.
- #H.1244 MARKETING ASSOC. OFFICERS. RATIFIED CH. 925.
- #H.1246 NO DISCRIMINATION-BLIND TEACHERS. RATIFIED CH. 949.
- H.1247 TAX CREDIT-ASSIST HANDICAPPED.(7/12, 7/15) H-REC TO CONCUR IN S AMEND; H-REF TO CALENDAR COM.
- #H.1255 (J.RES.) DIPLOMA NURSING SCHOOL ASSIST.(7/12) RATIFIED RES. 107.
- #H.1281 PROPERTY INSURANCE AGENTS-EXAM. RATIFIED CH. 926.
- H.1282 DMV REGISTRATION RECORDS. S-PASSED 2ND & 3RD READING.
- H.1291 SCHOOL SUPERVISORS-12 MONTH TERM.(7/15) S-PASSED 2ND & 3RD READING.
- H.1293 HOUSING AUTHORITY INVESTMENTS.(7/13, 7/16) H-REC TO CONCUR IN S AMEND; H-PLACED ON CALENDAR.
- H.1294 (J.RES.) PUBLIC HEALTH SERVICES-STUDY COMM'N.(7/13) S-REPTD FAV.
- H.1300 SPCA REALTY-PROPERTY TAX EXEMPT.(7/16) S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- #H.1305 LIMOUSINE VEHICLE LICENSE. RATIFIED CH. 952.
- H.1327 MARRIAGE LICENSE RETURN. S-PASSED 2ND & 3RD READING.
- H.1336 SPCA PERSONALTY EXEMPT-PROP. TAX.(7/16) S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1337 CHARLOTTE NAT'L GUARD ARMORY. S-PASSED 2ND & 3RD READING.
- H.1340 (J.RES.) GENERAL ASSEMBLY STUDY COMM'N.(7/16) S-PASSED 2ND & 3RD READING.
- H.1341 TRUSTS FOR COUNTIES. S-PASSED 2ND & 3RD READING.
- H.1342 TOXIC VAPORS ACT. S-PASSED 2ND & 3RD READING.
- H.1343 GOVERNOR'S WESTERN MANOR.(7/15) S-PASSED 2ND & 3RD READING.
- H.1349 JUVENILE CORRECTION REVISION. H-POSTPONED TO JULY 20.
- H.1351 COMMUNITY DRUG ABUSE PROGRAM-2. S-PASSED 2ND & 3RD READING.
- #H.1382 (J.RES.) OPPOSING POLLUTION DILUTION.(7/12) RATIFIED RES. 104.
- H.1387 CHOWAN FIRE CONTROL FUNDS.(7/15) S-PASSED 2ND & 3RD READING.
- H.1397 MEDICAL PRACTICE TECHNICAL CHANGES.(7/15) S-REPTD FAV.

- #H.1401 REGULATING AUTO INSURANCE RATES-4. H-POSTPONED INDEF.
- H.1409 EXPANDING COUNTY EMINENT DOMAIN.(7/14, 7/16) H-REC TO CONCUR IN S AMEND; H-CONCUR IN S AMEND.
- H.1410 TRANSFERRING BURIAL ASS'N BENEFITS. S-PLACED ON CAL JULY 20.
- #H.1414 ZOO CONSTRUCTION BONDS.(7/08) RATIFIED CH. 953.
- H.1422 MUNICIPAL ELECTONS & LAND USE.(7/13, 7/19) S-RECALLED FROM ENROLLING; S-RECONSIDERED 3RD READING; S-FLOOR AMEND ADOPTED; S-PASSED 3RD READING; H-REC TO CONCUR IN S AMEND; H-H CONCURS IN S AMEND.
- H.1425 COMPENSATION OF COUNTY COMM'RS. S-PASSED 2ND & 3RD READING.
- H.1430 CLEAN WATER BONDS DEBT SERVICE. S-PASSED 2ND & 3RD READING.
- H.1432 MUNICIPAL GAS SYSTEMS.(7/19) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING.
- #H.1433 MENT. RETARDED-DAY CARE FUNDS.(7/14) S-TABLED.
- H.1440 FIRST OFFENDER EXPUNCTION.(7/08) S-PASSED 2ND & 3RD READING.
- H.1453 AMEND CH. 688,1971 SL. S-PASSED 2ND & 3RD READING.
- H.1457 (J.RES.) STUDY COMM'N-SCHOOL UNIONS.(7/16) S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1461 REVOC. PROCEDURE-INSUR. LICENSE. S-PASSED 2ND & 3RD READING.
- H.1466 FUNDS FOR AID TO AGED INCREASE. S-PASSED 2ND & 3RD READING.
- H.1468 FLOOD,BEACH PROTECTION FUNDS. S-PASSED 2ND & 3RD READING.
- H.1473 SETTING GOVERNOR'S PAY. S-PASSED 2ND & 3RD READING.
- H.1476 GROUP INSUR.-RETARDED CHILDREN. S-PASSED 2ND & 3RD READING.
- H.1482 MONROE POULTRY DISEASE LABORATORY. S-PASSED 2ND & 3RD READING.
- #H.1484 NO WEAPONS FOR INMATES.(7/14, 7/14) RATIFIED CH. 929.
- #H.1493 SAVINGS & LOAN CAPITAL STOCK. H-FAILED 2ND READING.
- H.1495 CANCEL 1971 ELECTION-18 YR. VOTE. S-PASSED 2ND READING.
- H.1499 CHAPTER 18 ELECTIONS-TOWNS.(7/15, 7/19) H-FLOOR AMENDS ADOPTED; H-PASSED 3RD READING.
- H.1500 EASEMENTS TO FILL GRANTS. S-PLACED ON CAL JULY 20.
- H.1503 NUMBERED HOUSE DISTRICTS.(7/14, 7/14, 7/15) S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1505 ECU MED. SCHOOL ON BD. OF ANATOMY. S-PASSED 2ND & 3RD READING.
- H.1514 18 YEAR OLD TOBACCO WEIGHERS. S-PASSED 2ND & 3RD READING.
- H.1523 CLEANING UP POULTRY LAW. S-REPTD FAV.
- H.1525 EDUC. OPPORTUNITIES INFO. CENTER.(7/15) S-PASSED 2ND & 3RD READING.
- H.1529 ABC TAX FOR MEDICAID.(7/19, 7/19, 7/19) H-COM AMENDS ADOPTED; H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING; H-FLOOR AMEND ADOPTED.
- #H.1530 ELECTION LAW-BALLOT MARKING. H-REPTD UNFAV..
- H.1531 PAY RAISE-CERTAIN STATE POSITIONS.(7/15) S-PLACED ON CAL JULY 20.
- H.1539 (J.RES.) RETIREMENT CREDIT,MINITARY SERV.. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- #H.1542 AMENDING CH. 806,1971 SL. RATIFIED CH. 931.
- H.1551 (J.RES.) AUTO INSURANCE STUDY COMM'N. S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1552 (J.RES.) APPROVE SALARIES FOR ST. OFFICIALS. S-REPTD FAV.

- H.1555 REDEFINES 1ST SECURITY INSTRUMENT-2. S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1557 TAXES FOR PAYMENT OF BONDS.(7/16) H-PASSED 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1558 GENERAL ASSEMBLY FUNDS. S-PASSED 2ND & 3RD READING.
- H.1559 ELECTION LAW TECH. AMENDMENTS. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1562 (J.RES.) ST. GOV. REORG.-LRC REVIEW. H-POSTPONED TO JULY 20.
- #H.1567 MEMORIALIZING BEDFORD W. BLACK. RATIFIED RES. 106.
- #H.1570 LSC MEMBERSHIP. H-PASSED 2ND & 3RD READING; H-RECONSIDERED 3RD READING; H-POSTPONED INDEF.
- H.1571 GEORGIA LAND GRAB. S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1581 LEIGIS ELECTRONIC VOTING UNITS. H-PLACED ON CAL JULY 20.
- H.1583 (J.RES.) MEMORIALIZING DAVID L. WARD. H-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 718 (CURRITUCK) HUNTING FOWL-CURRITUCK SOUND.(7/14, 7/19) H-REPTD FAV AS AMENDED; H-COM AMEND ADOPTED;.
- #S. 865 (GASTON) GASTONIA CHARTER.(7/12) RATIFIED CH. 910.
- S. 888 (CLEVELAND) DRIVE-IN MOVIES. H-PASSED 2ND & 3RD READING.
- S. 892 (WARREN) COUNTY COMM'RS-4 YEAR TERMS. H-PASSED 2ND & 3RD READING.
- S. 899 (IREDELL) SCHOOL BD. COMPENSATION. H-PASSED 3RD READING.
- S. 937 (WAYNE) POLICE JURIDICTION-SEVEN SPRINGS. H-REPTD FAV..
- S. 950 (WAYNE) SCHOOL BOND ELECTION. H-PASSED 3RD READING.
- S. 965 (MECKLENBURG) AMENDING CH. 783,1971 SL.(7/14) H-REPTD FAV; H-REPTD FAV.
- #S. 968 (MECKLENBURG) CHARLOTTE FIREMEN'S RET.. S-POSTPONED INDEF.
- S. 978 (EDGEcombe) AMENDING CH. 801,1971 SL. H-REC FROM SENATE; H-REF TO CALENDAR COM.
- S. 989 (NEW HANOVER) REPORTING DRUG TREATMENT CASES. S-REPTD FAV.
- #H. 148 (GUILFORD) GREENSBORO ELECTION LAW REPEAL. RATIFIED CH. 917.
- #H.1215 (WATAUGA) PUBLIC SCHOOL & COLLEGE COOP.. RATIFIED CH. 941.
- H.1276 (BUNCOMBE, FORSYTH, ORANGE) REGISTERED INSTRUMENTS INDEX. (7/13) S-PASSED 2ND & 3RD READING.
- #H.1391 (RICHMOND) FIRE SERVICE LIENS.(7/08) RATIFIED CH. 927.
- #H.1419 (NEW HANOVER) TAX COLLECTION CONSOLIDATION.(7/09) RATIFIED CH. 928.
- H.1436 (WAKE) AMEND RALEIGH CHARTER.(6/30, 6/30, 7/13, 7/14, 7/19) H-FLOOR AMEND ADOPTED; H-PASSED 2ND READING.
- H.1513 (WAKE) RALEIGH/WAKE SOIL EROSION CONTROL.(7/19) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING.
- #H.1517 (CATAWBA) ELECTING HICKORY SCHOOL BOARD.(7/12) RATIFIED CH. 930.
- H.1522 (WAKE) WAKE/RALEIGH BD. EDUC. MERGER VOTE.(7/15) S-PASSED 2ND & 3RD READING.

- H.1533 (JACKSON, TRANSYLVANIA) BOOZE BUYING-SYLVA,BREVARD. S-REPTD FAV.
H.1534 (WAKE) RALEIGH CIVIL SERVICE COMM'N.(7/15) S-REPTD FAV.
H.1541 (ASHE) W. JEFFERSON & JEFFERSON ABC STORES.(7/15) S-REPTD FAV AS AMENDED.
H.1549 (LEE) SANFORD FIREMEN'S PENSION FUND. S-REPTD FAV.
H.1556 (FORSYTH) BEER & WINE SALES-ACAD. OF DANCE. S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
H.1564 (FORSYTH) PARKING PENALTIES. H-PASSED 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
H.1576 (HOKE, ROBESON, SCOTLAND) SCHOOL BD. LEASES AND CONTRACTS. H-PASSED 2ND & 3RD READING.

Next Session of House: 9:00 a.m., Tuesday, July 20, 1971.

Next Session of Senate: 11:00 a.m., Tuesday, July 20, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

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BULLETIN NO. 135

-1379-

TUESDAY, JULY 20, 1971

MORNING SESSION

PUBLIC BILLS INTRODUCED

SENATE

S 995 Unnumbered senate dists. GS 163
Introducers: Wood and Jones Sent to CALENDAR

"To make provisions for certain unnumbered senatorial districts." As title indicates, repeals Sec. 5, Ch. 1063, 1967 SL, which exempted following senatorial districts from numbered seat requirements of Ch. 1063, 1971 SL: 4, 8, 11, 12, 14, 18, 22, 23, 24, 26, 29, 30, and 31.

HOUSE

H 1585 School corporal punishment policy GS 115
Introducer: Haynes Sent to CALENDAR

"To amend Article 17 of the General Statutes of North Carolina to empower local school boards to set rules regarding corporal punishment of pupils." Amends paragraph #2 of GS 115-146 ("Duties of teachers generally; principals and teachers may use reasonable force in exercising lawful authority") to change reference to "reasonable force" to "reasonable physical force", and to provide such physical force shall be used only pursuant to rules adopted by county or city board of education employing teacher, and to delete sentence providing no county or city board of education or district committee shall maintain a rule which prohibits the use of force as specified in section. Effective August 15, 1971.

H 1586 (House Resolution) Horneytown phone service MISC RES
Introducer: McDaniel ADOPTED

"Memorializing North State Telephone Company to make available to Southeastern Forsyth County, and more specifically Horneytown, toll-free telephone service to county schools and governmental officials." As title indicates.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 74 Tuition aid-medical students (Iden. H 96, digested in Bulletin No. 12, p. 73; amendments digested in Bulletins No. 132, p. 1327 and 133, p. 1350)
Amendment adopted in House 7/20/71 provides amount per student to be disbursed to schools to be \$3,000, rather than \$3,650, and \$500, rather than \$1,000, of that amount shall be credited to tuition.



- S 83 Criminal court costs (digested in Bulletin No. 13, p. 84; amendment digested in Bulletin No. 119, p. 1151)
Amendment adopted in House 7/20/71 changes effective date of act from July 1, 1971 to August 1, 1971.
- S 461 Loan transfer fee (digested in Bulletin No. 70, p. 546; Committee Substitute digested in Bulletin No. 85, p. 712)
Amendment adopted in House 7/20/71 replaces substantive portion of bill by rewriting GS 24-10 ("Maximum fees on loans secured by real property"), by adding a new GS 24-10(d) providing any lender may charge any person, firm or corporation that assumes a loan made under the provisions of GS 24-1.1 ("Contract rates") where the principal amount assumed is not more than \$50,000 and is secured by real property, a fee not to exceed 1% of the principal amount due or \$25, whichever is lesser.
- S 686 Second dismissal from school (digested in Bulletin No. 95, p. 827)
Clarifying amendment adopted in House 7/20/71.
- S 973 (Joint Resolution) St. gov. reorg.-LRC review (digested in Bulletin No. 131, p. 1303)
Amendment adopted in House 7/20/71 provides new members to be appointed from membership of House and Senate (was, from current committee chairmen).

HOUSE BILLS

- H 320 Doctors' speed limits (digested in Bulletin No. 33, p. 230; H Committee Substitute #1 digested in Bulletin No. 110, p. 1008; H Committee Substitute #2 digested in Bulletin No. 112, p. 1039; Senate Committee Substitute digested in Bulletin No. 131, p. 1309)
Amendment adopted in Senate 7/20/71 adds anesthetists to persons included in act.
- H 916 Apply NC law to foreign insurers (digested in Bulletin No. 85, p. 709; amendment digested in Bulletin No. 130, p. 1295)
Amendment adopted in Senate 7/20/71 changes effective date of act from Jan. 1, 1973 to July 1, 1973.
- H 1541 (Ashe) W. Jefferson & Jefferson ABC stores (digested in Bulletin No. 130, p. 1293)
Technical amendment adopted in Senate 7/20/71.
- H 1581 Legis. electronic voting units (Iden. S 993, digested in Bulletin No. 134, p. 1364)
Amendments adopted in House 7/20/71; (1) make clarifying changes; (2) delete reference to producing complete daily journal; (3) provide units, if selected and installed, shall be of a type selected by Legis. Services Comm'n to record votes through electronic processes; and (4) delete provision that LSC in purchasing units not to be subject to State Purchasing Act.

AFTERNOON SESSION

PUBLIC BILLS INTRODUCED

SENATE

S 996 (Joint Resolution) Amending Joint Res. 990 MISC RES
Introducer: Bowles Sent to CALENDAR

"Amending Joint Resolution 990." Adds motor vehicle liability insurance as subject to be considered by autumn session of General Assembly beginning Oct. 26, 1971.

HOUSE

H 1587 Salary increases-higher ed.-2 APPROPRIATION
Introducer: Phillips Calendar for 7/21

"To provide salary increases for certain staff positions of institutions of higher learning and Board of Higher Education whose salaries have heretofore been set by the Governor and Advisory Budget Commission." Sets salaries of following positions heretofore set by Governor and Ad. Budget Comm'n:

	From	To
Chancellor - UNC-Asheville	\$24,950	\$25,410
Chancellor - UNC-Wilmington	\$24,950	\$25,410
Asst. Vice President & Treas. - UNC-Chapel Hill	\$23,820	\$25,000
Admin. for Finance & Business - UNC-Greensboro	\$24,000	\$25,000
Director of Administration - UNC-Charlotte	\$22,680	\$23,500
Vice-Pres. Bus. Affairs - Appalachian State Univ.	\$22,500	\$23,500
Director - UNC-TV	\$21,600	\$23,500
Vice-President & Business Mgr. - ECU	\$19,950	\$23,500
Asst. Vice-Pres. & Asst. Treasurer - UNC	\$19,280	\$19,950
Business Manager - UNC-Asheville	\$16,740	\$19,950
Business Manager - UNC-Wilmington	\$16,740	\$19,950
Assistant to the President - UNC	\$23,240	\$23,500

Increases effective July 1, 1972, from funds appropriated to respective institutions.

H 1588 (Joint Resolution) Memorializing Louis E. MISC RES
Austin Passed three readings
Introducer: Frye and others and sent to Senate

"Memorializing the late Louis Ernest Austin, editor and publisher of the Carolina Times." As title indicates.

LOCAL BILLS INTRODUCED

SENATE

None

HOUSE

None

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

S 598 Corporation Act Amendments (digested in Bulletin No. 86, p. 710; amendments digested in Bulletin No. 117, p. 1113)

Amendments adopted in House 7/20/71 make following changes: (1) amend GS 55-29 ("Informal or irregular action by directors or committees") by adding new subsection (c) providing unless otherwise provided in the Chapter or bylaws, any one or more directors or members of a committee may participate in a meeting of the board or committee by means of a conference telephone which allows all persons participating in the meeting to hear each other; (2) delete the part of proposed new GS 55-39.1 ("Shareholders' derivative actions") which provides for payment of defendant's attorneys' fees upon finding action was brought without reasonable cause, and the language providing shareholders' derivative actions may be brought "regardless of whether any plaintiff was such a holder at the time of the transaction or any part thereof of which he complains"; (3) add to GS 55-50 ("Dividends in cash or property") new subsection (i) which defines net profits for purposes of subsection and provides procedure by which shareholders holding 20% or more of the shares of a given class in a corporation with 25 or less shareholders may petition for payment of additional dividends upon payment of a dividend constituting less than 1/3 of the net profits of the given period allocable to that class, and sets limits on additional amount recoverable by shareholders; and (4) add new GS 55-50(j) providing detailed description of procedure for settlement of claim authorized by GS 55-50(i).

S 823 Credit frauds (Iden. H 1322, digested in Bulletin No. 113, p. 1048)

Amendments adopted in House 7/20/71: (1) delete from proposed GS 14-113.6a ("Venue of offenses") provision that offense may be deemed to have been committed at the place to which the bill for service is sent; and (2) make clarifying change.

S 994 Funds for medically needy (Iden. H 1582, digested in Bulletin No. 134, p. 1364)

Committee Substitute adopted in Senate 7/20/71 appropriates \$1,700,000 from General Fund to Dep't of Social Services (originally, \$1,735,000 for each year of 1971-73 biennium) for use in Medical Assistance Program as State's 85% matching portion for nursing home care for medically needy persons. Counties to provide 15% matching share. Board of Social Services to include in eligibility requirements, special allowance not to exceed \$110 a month for special nursing care. Sets out following rules for disbursements of appropriated funds: (1) subjects recipient to existing public assistance lien laws; (2) applies Board of Social Services regulations on transfer of property when determining eligibility of public assistance recipients; and (3) makes eligibility for special allowance subject to Dep't audit.

Technical amendment adopted in Senate 7/20/71.

S 995 Unnumbered Senate dists. (digested in Senate section of the Morning Session of today's Bulletin)

Amendments adopted in Senate 7/20/71: (1) delete District 26 from list of districts affected by repealer in act; and (2) add new section providing that GS 163-117 ("Date for holding primaries") shall not apply to Senatorial Districts 10, 13, 14, 20, and 23.

HOUSE BILLS

- H 1090 Grounds for divorce-insanity (digested in Bulletin No. 96, p. 845; Committee Substitute digested in Bulletin No. 120, p. 1163; amendment digested in Bulletin No. 132, p. 1333)

Joint Senate-House Conference Committee on H 1090 recommended following substantive amendment, adopted by Senate and House 7/20/71: amends GS 50-5(6) in appropriate places to permit absolute divorce on grounds of insanity when spouse at least three years preceding the institution of the action for divorce has been examined and found incurably insane by one or more licensed physicians who are members of one of State's accredited 4 year medical schools or a State supported mental institution, and when one or more of them examined the allegedly insane spouse subsequent to commencement of the action and testifies that in his opinion the allegedly insane spouse was continuously incurably insane throughout the full period of 3 years prior to commencement of the action.

- H 1117 Second mortgage charges (digested in Bulletin No. 98, p. 871; Committee Substitute digested in Bulletin No. 122, p. 1193)

Amendment adopted in Senate 7/20/71: (1) deletes provision permitting lender to require accident and health insurance on borrower; and (2) provides that premium for any decreasing term life insurance required by lender may not be included in the principal amount of the loan for the purpose of computing the rate of charge and the rate of interest applicable thereto.

- H 1272 Local human relations programs (digested in Bulletin No. 111, p. 1017)

Amendments adopted in Senate 7/20/71 delete reference to all programs originally included in bill other than human relations programs, and define "human relations program" for purposes of the act.

- H 1551 Auto insurance study comm'n (digested in Bulletin No. 130, p. 1292)

Amendment adopted in Senate 7/20/71: (1) increases from 2 to 3 number of comm'n members required to have legislative experience in the House, and makes similar increase in members required to have experience in Senate; and (2) deletes provision requiring one member to be trial lawyer engaged in insurance litigation (amendment apparently amends wrong line, should be line 14 rather than line 15).

- H 1576 (Hoke, Robeson, Scotland) School bd. leases and contracts (digested in Bulletin No. 134, p. 1362)

Amendment adopted in Senate 7/20/71 makes bill applicable to Buncombe County.

- H 1580 18 yr. statutory majority-2 (digested in Bulletin No. 134, p. 1362)

Amendments adopted in House 7/20/71: (1) delete GS 76-5(1) and 76-62 from sections affected by bill; and (2) delete proposed rewrite of the registration oath contained in GS 163-72.

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- S. 74 TUITION AID-MEDICAL STUDENTS.(7/15, 7/16, 7/20) H-FLOOR AMEND ADOPTED; H-PASSED 2ND & 3RD READING; S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.
- S. 83 CRIMINAL COURT COSTS.(6/28, 7/20) H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING; S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.
- #S. 149 TUITION AID-MEDICAL STUDENTS-2.(7/15) RATIFIED CH. 1006.
- S. 249 PODIATRY DEFINED.(7/01) S-CONF REPORT ADOPTED; H-CONF REPORT ADOPTED.
- S. 279 WORKMEN'S COMP.-PRISONERS.(4/01) H-REC FROM SENATE; H-PASSED 2ND & 3RD READING.
- #S. 301 CITIZENSHIP RESTORATION. H-REPTD UNFAV.
- #S. 383 AUTISTIC CHILDREN-TRAINING.(7/14, 7/15) RATIFIED CH. 1007.
- #S. 390 STANLY TECHNICAL INSTITUTE FUNDS. S-POSTPONED INDEF.
- S. 395 SENATORIAL DISTRICTS.(6/30, 7/12, 7/14, 7/15, 7/15) H-REPTD FAV; H-PASSED 2ND & 3RD READING.
- #S. 421 JOEL LANE HOUSE FUNDS.(7/15) RATIFIED CH. 1008.
- S. 432 WATER-AIR MANAGEMENT,CONTROLS.(6/29, 7/05, 7/07) H-PASSED 2ND & 3RD READING.
- S. 461 LOAN TRANSFER FEE.(5/11, 7/16, 7/20) H-FLOOR AMENDS ADOPTED; H-PASSED 3RD READING; S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.
- #S. 465 TEACHER,NC EMPLOYEE MED. BENEFIT.(7/15) RATIFIED CH. 1009.
- S. 486 REFORMATORIES-LAW REWRITE.(7/16) S-CONCURRED IN H AMEND.
- #S. 522 NCSU TOBACCO RESEARCH-FUNDS.(7/15) RATIFIED CH. 1010.
- S. 532 LABOR MANAGERS-LICENSE TAX.(7/16) S-CONCURRED IN H AMEND.
- S. 551 CLARIFYING CH.218,SL 1971.(5/19) H-PASSED 3RD READING.
- S. 563 RESCUE SQUAD DEATH BENEFITS.(7/16) S-CONCURRED IN H AMEND.
- #S. 567 MORGANTON SCHOOL FOR DEAF FUNDS. RATIFIED CH. 1011.
- S. 569 CIVIL PROCEDURE CHANGES.(6/02, 7/19, 7/19) S-REC TO CONCUR H AMENDS; S-CONCURRED IN H AMENDS.
- S. 572 CAUSE OF ACTION ACCRUAL.(5/20, 7/19, 7/19) S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.
- S. 591 FINING WCU TRAFFIC OFFENDERS.(7/19) S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.
- S. 598 CORPORATION ACT AMENDMENTS.(6/24, 7/20) H-REPTD FAV AS AMEND; H-COM AMEND ADOPTED; H-PASSED 2ND READING.
- #S. 615 INTERNATIONAL COOP. COMM'N-FUNDS.(7/15) RATIFIED CH. 1012.

- S. 621 LIMITED DRIVING-OLD CONVICTIONS.(7/19, 7/19) S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.
- #S. 642 NC INDIAN AFFAIRS COMM'N.(6/03, 7/15) RATIFIED CH. 1013.
- S. 669 TRANSIT SYSTEM FUEL TAX REFUNDS.(6/14, 7/19) H-LAST ACTION RECONSIDERED; H-PASSED 2ND READING.
- S. 677 JUVENILE PROBATION OFFICERS-APP..(7/19) S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.
- S. 681 ESCHEAT LAW REVISION.(6/25) H-RECALLED FROM ENROLLING; H-RECONSIDERED 3RD READING; H-FLOOR AMEND FAILED; H-PASSED 3RD READING.
- S. 686 SECOND DISMISSAL FROM SCHOOL.(7/20) H-PASSED 2ND READING; H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING; S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.
- S. 689 MOTOR VEHICLE LENDERS.(6/30) H-PASSED 2ND READING.
- S. 698 CHARITABLE GROUPS TAX EXEMPTION.(6/07) H-PASSED 2ND & 3RD READING.
- #S. 700 WILMINGTON THALIAN HALL RESTOR; (7/15) RATIFIED CH. 1014.
- S. 703 COSTS IN CONDEMNATION ACTIONS.(6/17, 7/06) H-PASSED 2ND & 3RD READING.
- #S. 706 DMV INSPECTION FEE INCREASE.(7/08) H-REPTD FAV; H-FAILED 2ND READING.
- S. 708 INDEXING CROP LIEN-PROPERTY OWNER. H-PASSED 2ND & 3RD READING.
- #S. 714 DEP'T OF FAMILY MEDICINE-UNC.(7/15) RATIFIED CH. 1015.
- S. 719 INTERSTATE FIRE FIGHTING COMPACT.(6/18) H-PASSED 2ND & 3RD READING.
- S. 723 ENFORCE MOBILE HOME STANDARDS.(6/10) H-PASSED 2ND & 3RD READING.
- #S. 728 CHILDREN'S HOME SOCIETY FUNDS.(7/15) RATIFIED CH. 1016.
- #S. 732 AID TO PRIVATE COLLEGES-FUNDS.(7/15) RATIFIED CH. 1017.
- S. 733 WORKMEN'S COMP.-EMPLOYEE DEATH-3.(7/05) H-PASSED 2ND & 3RD READING.
- S. 736 JUVENILE COURT CHANGES.(6/28) H-PASSED 2ND & 3RD READING.
- S. 746 NEXT FRIEND COSTS. H-PASSED 2ND & 3RD READING.
- S. 754 WORKMEN'S COMP.-TOTAL DISABILITY-2. H-PASSED 2ND & 3RD READING.
- S. 757 CONTROL OF BIOLOGICAL RESIDUES.(6/14) H-PASSED 2ND & 3RD READING.
- S. 772 POSTAL SAVINGS ESCHEAT. H-PASSED 2ND & 3RD READING.
- #S. 785 VAGABOND DRAMA APPROPRIATION.(7/15) RATIFIED CH. 1018.
- S. 796 CONFORMING STATUTES TO GS CH. 7A. H-PASSED 2ND & 3RD READING.
- #S. 799 CLASSIF. OF RESIDENCES-PROP. TAX.(7/09) H-REPTD UNFAV.
- S. 813 INSUR. PREMIUM FINANCING.(6/28) H-PASSED 2ND & 3RD READING.
- S. 819 LEGIS. BLDG. GOV. COMM'N. H-PASSED 2ND READING.
- S. 823 CREDIT FRAUDS.(7/20) H-COM AMENDS ADOPTED; H-PASSED 2ND & 3RD READING.
- S. 825 SMALL WATERSHED CHANGES.(7/06, 7/15) H-CONF REPORT ADOPTED; S-CONF REPORT ADOPTED.
- S. 826 GOV'S MANSION BLDG. COMM'N. H-PASSED 2ND & 3RD READING.
- #S. 831 INSURANCE DEPT FUNDS.(7/15) RATIFIED CH. 1019.
- S. 832 ASS'T SCHOOL SUPT CONTRACTS. H-PASSED 2ND & 3RD READING.

- S. 836 APPEALS FROM IND'L COMM'N. H-PASSED 2ND & 3RD READING.
- S. 844 CONFORMING GS CH. 23 WITH GS CH. 7A. H-PASSED 2ND & 3RD READING.
- S. 851 MARINE SCIENCE COUNCIL.(7/06) H-PASSED 2ND & 3RD READING.
- S. 852 PRIVATE SCHOOL BUSES.(7/06) H-PASSED 2ND & 3RD READING.
- #S. 853 (J.RES.) STUDENT MORALITY.(7/05) H-TABLED.
- S. 855 DETENTION OF MENTALLY ILL.(7/08) H-PASSED 2ND & 3RD READING.
- #S. 856 BDS. OF EDUCATION CONTRACTS.(6/28) H-REPTD UNFAV.
- S. 859 AMEND CH. 508,1971 SL.(7/05) H-PASSED 2ND & 3RD READING.
- #S. 860 DEP'T JUSTICE CLAIMS FUNDS.(7/15) RATIFIED CH. 1020.
- S. 863 (J.RES.) 'CONVICTION' DEFINITION. H-PASSED 2ND & 3RD READING.
- S. 873 HIGHWAY COMM'N-TAKING W/O COMPLAINT. H-PASSED 2ND & 3RD READING.
- #S. 887 REVIEW OF PROBATION.(7/08) H-FAILED 2ND READING.
- S. 891 EXEC. ORDERS-PUBLICATION. H-PASSED 2ND & 3RD READING.
- S. 895 POSSESSORY LIEN; CORRECTION-2. H-PASSED 2ND & 3RD READING.
- S. 897 REVOC. PROCEDURE-INSUR. LICENSE. H-REPTD FAV; H-PASSED 2ND & 3RD READING.
- S. 904 CAP. IMPROVEMENT BOND VOTE.(7/19) S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PLACED ON CALENDAR; H-PASSED 2ND & 3RD READING.
- S. 908 DRAINAGE DIST. TITLE ACQUISITION. H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- S. 916 GENERAL ASSEMBLY EXPENSE PAYMENTS. H-PASSED 2ND & 3RD READING.
- #S. 925 (J.RES.) TAX STUDY COMM'N-DUTY REDEFINED. H-REPTD UNFAV.
- #S. 944 FUNDING NC COURTS COMM'N. RATIFIED CH. 1021.
- #S. 953 FUNDING MORE DRIVER EDUCATION. RATIFIED CH. 981.
- #S. 956 (J.RES.) MEMORIALIZING ROBERT N. SIMMS,JR.. RATIFIED RES. 108.
- S. 960 REPEALING CHAPTER 562,1971 SL. H-REPTD FAV.
- #S. 963 (J.RES.) HONORING PATSY GAIL WOOD. RATIFIED RES. 109.
- S. 973 (J.RES.) ST. GOV. REORG.-LRC REVIEW.(7/20) H-REPTD FAV; H-PASSED 2ND READING; H-FLOOR AMEND ADOPTED; H-PASSED 3RD READING; S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.
- #S. 975 (J.RES.) AUTO INSURANCE STUDY COMM'N.(7/16) H-REPTD UNFAV.
- S. 985 UNUSED MATCHING FUNDS. S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-REF TO COM ON APPROPRIATION.
- S. 986 (J.RES.) MEMORIALIZING JUDGE MINTZ. H-REPTD FAV.
- S. 987 REDEFINES 1ST SECURITY INSTRUMENT-1. H-REPTD FAV.
- #S. 990 (J.RES.) GEN'L ASSEMBLY ADJOURNMENT-2. RATIFIED RES. 112.
- S. 993 LEGIS. ELECTRONIC VOTING UNITS. S-REPTD FAV; S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; S-RECALLED FROM HOUSE.
- S. 994 FUNDS FOR MEDICALLY NEEDY.(7/20, 7/20) S-REP FAV COM SUB AS AMEND; S-COM SUBSTITUTE ADOPTED; S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PASSED 2ND & 3RD READING.
- S. 995 UNNUMBERED SENATE DIST..(7/20) S-REF TO COM ON CALENDAR; S-REPTD FAV AS AMENDED; S-COM AMENDS ADOPTED; S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-REF TO CALENDAR COM.
- H. 8 LEGISLATIVE RETIREMENT AND REPEAL. H-PASSED 2ND READING.

- #H. 58 BENNETT PLACE APPROPRIATION. RATIFIED CH. 998.
- H. 128 CONGRESSIONAL DISTRICTS-2. H-WITHDRAWN FROM COM; H-REF TO CALENDAR COM.
- H. 182 LAW OFFICERS' SICK LEAVE. H-REPTD FAV; H-PASSED 2ND & 3RD READING
- #H. 186 TAX EXEMPT MILITARY RETIRED PAY-3.(6/09, 7/16) RATIFIED CH. 996.
- #H. 204 YOUTH COMMISSION APPROPRIATION.(7/15) RATIFIED CH. 999.
- #H. 260 CENTRAL SCHOOL FOR DEAF. RATIFIED CH. 1000.
- #H. 266 AGRICULTURE REGIONAL LAB. RATIFIED CH. 1022.
- #H. 267 COASTAL PLAIN RES. CENT.-FUNDS-1. RATIFIED CH. 1023.
- #H. 273 REGIONAL WATER REVOLVING FUNDS.(7/15) RATIFIED CH. 1024.
- #H. 274 STATE STAFF APPROP.-REG'L WATER.(7/15) RATIFIED CH. 1001.
- H. 286 INCREASE COMMISSION MEMBERS' PAY.(7/12, 7/19) H-REC TO CONCUR IN S AMEND; H-CONCUR IN S AMEND.
- #H. 318 PUBLIC DRUNKS, NON-CRIMINAL.(6/25, 7/06, 7/14, 7/19) H-REC TO CONCUR IN S AMEND; H-PLACED ON CALENDAR; H-POSTPONED INDEF.
- H. 320 DOCTORS' SPEED LIMITS.(6/15, 6/17, 7/14, 7/20) S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-REF TO COM ON CALENDAR.
- #H. 338 VOC-TEXTILE SCHOOL FUNDS.(7/15) RATIFIED CH. 1002.
- #H. 374 NC ORTHOPEDIC HOSPITAL FUNDS. RATIFIED CH. 1003.
- #H. 407 BLIND COMMISSION EMPLOYEES. RATIFIED CH. 1025.
- H. 428 BLIND RELIEF, STATE RESIDENCE.(4/05) S-REPTD FAV; S-PASSED 2ND READING.
- #H. 431 MEDICAL CARE APPROPRIATION.(7/15) RATIFIED CH. 1026.
- #H. 480 RENAL DISEASE PROGRAM AND FUNDS. RATIFIED CH. 1027.
- H. 487 OUT-OF-STATE COSTS-MENTALLY ILL.(7/15) S-PASSED 2ND & 3RD READING.
- #H. 519 AYCOCK HISTORIC SITE. RATIFIED CH. 1028.
- #H. 522 WOMEN'S EDUC. & EMPLOYMENT STUDY.(7/15) RATIFIED CH. 1029.
- #H. 583 SWINE RESEARCH FACILITY APPROP'R'N. RATIFIED CH. 1030.
- H. 604 CONGRESSIONAL DISTRICTS-3. H-WITHDRAWN FROM COM; H-RE-REF TO CALENDAR COM.
- H. 605 CONGRESSIONAL DISTRICTS-4. H-WITHDRAWN FROM COM; H-RE-REF TO CALENDAR COM.
- H. 619 STANLY TECHNICAL INSTITUTE FUNDS.(7/15, 7/15) S-PASSED 2ND & 3RD READING.
- #H. 624 RICHMOND HILL HOME FUNDS.(7/15) RATIFIED CH. 1031.
- H. 649 ENVIRONMENTAL POLICY ACT.(5/28, 7/08) H-REPTD UNFAV; H-REMOVED FROM UNFAV CAL; H-PLACED ON CALENDAR; H-PASSED 2ND & 3RD READING.
- #H. 652 NEWBOLD-WHITE HOUSE FUNDS.(7/15) RATIFIED CH. 1032.
- H. 705 COASTAL PROTECTION, BEACH EROSION.(5/27, 5/31, 7/12, 7/13, 7/15, 7/19) H-PASSED 3RD READING; S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.
- H. 778 EQUAL RATES, COVERAGE INSUR.. H-WITHDRAWN FROM COM; H-RE-REF TO CALENDAR COM.
- H. 779 COLLISION INSURANCE. H-WITHDRAWN FROM COM; H-RE-REF TO CALENDAR COM.
- H. 811 INDUS. COMM'N EMPLOYEES' PAY. S-PASSED 2ND & 3RD READING.

- H. 814 HIGHER ED. -AID, FUNDS. (7/14) S-PASSED 2ND & 3RD READING.
#H. 914 INCREASED ASSISTANT SOLICITORS. (5/26, 7/12, 7/16) RATIFIED CH. 997.
H. 916 APPLY NC LAW TO FOREIGN INSURERS. (7/13, 7/20) S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING; H-REC TO CONCUR IN S AMEND; H-CONCUR IN S AMEND.
H. 1055 ASSIGNED RISK INSUR. REVISION. H-WITHDRAWN FROM COM; H-RE-REF TO CALENDAR COM.
H. 1090 GROUNDS FOR DIVORCE-INSANITY. (6/29, 7/15) S-CONF REPORT ADOPTED; H-CONF REPORT ADOPTED; S-CONF REPORT ADOPTED.
H. 1117 SECOND MORTGAGE CHARGES. (7/01, 7/01, 7/20) S-REPTD FAV AS AMENDED; S-COM AMEND ADOPTED; S-PLACED CAL FOR JULY 21.
H. 1198 FINANCIAL RESPONSIBILITY CHANGES. (7/12, 7/12, 7/13, 7/13, 7/15) S-CONF REPORT ADOPTED; H-CONF REPORT ADPTED.
H. 1205 GAS TAX REFUNDS TO FIRE DEP'TS. (7/16) S-REPTD FAV; S-PASSED 2ND & 3RD READING.
H. 1241 CEMETERIES FOR PRIVATE GAIN. S-PASSED 3RD READING.
H. 1247 TAX CREDIT-ASSIST HANDICAPPED. (7/12, 7/15) H-REPTD FAV; H-PASSED 2ND & 3RD READING.
H. 1272 LOCAL HUMAN RELATIONS PROGRAMS. (7/20) S-REPTD FAV AS AMENDED; S-COM AMENDS ADOPTED; S-PASSED 2ND & 3RD READING; H-REC TO CONCUR IN S AMEND; H-CONCUR IN S AMEND.
#H. 1286 CLASSIF. OF RESIDENCES-PROP. TAX. H-REPTD UNFAV.
H. 1294 (J. RES.) PUBLIC HEALTH SERVICES-STUDY COMM'N. (7/13) S-PASSED 2ND & 3RD READING.
#H. 1298 (J. RES.) CONTINUING LOC. GOV'T STUDY COMM'N. RATIFIED RES. 110.
H. 1300 SPCA REALTY-PROPERTY TAX EXEMPT. (7/16) S-REPTD FAV; S-PASSED 2ND & 3RD READING.
#H. 1306 TRAFFIC LAWS-STATE HOSPITALS. RATIFIED CH. 984.
H. 1308 AUTO INSUR. RATES-POINT SYSTEM. H-WITHDRAWN FROM COM; H-RE-REF TO CALENDAR COM.
#H. 1309 RECORDING FORECLOSURES-INDEXING. RATIFIED CH. 985.
H. 1336 SPCA PERSONALTY EXEMPT-PROP. TAX. (7/16) S-REPTD FAV; S-PASSED 2ND & 3RD READING.
H. 1340 (J. RES.) GENERAL ASSEMBLY STUDY COMM'N. (7/16) H-REC TO CONCUR IN COM SUB; H-REF TO COM ON CALENDAR.
H. 1342 TOXIC VAPORS ACT. (7/19) H-REC TO CONCUR IN S AMEND; H-CONCUR IN S AMEND.
#H. 1349 JUVENILE CORRECTION REVISION. H-POSTPONED INDEF.
#H. 1371 DEP'T OF PUB. INST. ENVIRON. FUNDS. (7/09, 7/14) RATIFIED CH. 987.
#H. 1378 TAXATION OF ACCTS. RECEIVABLE. (7/07) RATIFIED CH. 988.
#H. 1383 (J. RES.) PROP. TAX EXEMPT. STUDY COMM'N. (7/13) RATIFIED RES. 111.
H. 1388 POWER PLANT SITING. (6/25) H-WITHDRAWN FROM COM; H-RE-REF TO CALENDAR COM.
#H. 1394 MODIFY APPELATE PROCEDURE. RATIFIED CH. 989.
H. 1397 MEDICAL PRACTICE TECHNICAL CHANGES. (7/15) S-PASSED 2ND & 3RD READING.
H. 1398 HEALTH FACILITIES. S-REPTD FAV; S-PASSED 2ND & 3RD READING.

- #H.1402 SALES TAX EXEMP.-RESPIRATORS.(7/07) RATIFIED CH.990.
- #H.1409 EXPANDING COUNTY EMINENT DOMAIN.(7/14, 7/16) RATIFIED CH. 1004.
- H.1410 TRANSFERRING BURIAL ASS'N BENEFITS. S-PASSED 2ND & 3RD READING.
- H.1432 MUNICIPAL GAS SYSTEMS.(7/19) H-REC TO CONCUR IN S AMEND; H-CONCUR IN S AMEND.
- #H.1447 CREDITABLE SERVICE-STATE RET.. RATIFIED CH. 993.
- H.1495 CANCEL 1971 ELECTION-18 YR. VOTE. S-PASSED 3RD READING.
- H.1499 CHAPTER 18 ELECTIONS-TOWNS.(7/15, 7/19) S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1500 EASEMENTS TO FILL GRANTS. S-PASSED 2ND READING.
- H.1523 CLEANING UP POULTRY LAW. S-PASSED 2ND & 3RD READING.
- H.1529 ABC TAX FOR MEDICAID.(7/19, 7/19, 7/19) H-PASSED 3RD READING.
- H.1531 PAY RAISE-CERTAIN STATE POSITIONS.(7/15) S-PLACED CAL FOR JULY 21.
- H.1551 (J.RES.) AUTO INSURANCE STUDY COMM'N.(7/20) S-REPTD FAV; S-FLOOR AMEND ADOPTED; S-PASSED 2ND & 3RD READING; H-REC TO CONCUR IN S AMEND; H-CONCUR IN S AMEND.
- #H.1552 (J.RES.) APPROVE SALARIES FOR ST. OFFICIALS. S-PASSED 2ND & 3RD READING; RATIFIED RES. 113.
- H.1555 REDEFINES 1ST SECURITY INSTRUMENT-2. S-REPTD FAV; S-PASSED 2ND & 3RD READING.
- H.1557 TAXES FOR PAYMENT OF BONDS.(7/16) S-REPTD FAV; S-PASSED 2ND READING.
- H.1559 ELECTION LAW TECH. AMENDMENTS. S-REPTD FAV; S-PASSED 2ND & 3RD READING.
- #H.1565 CONTROL OF DUNE BUGGIES. H-REPTD UNFAV.
- #H.1568 GOV'S PLANS FOR SOUTHEASTERN NC. H-REPTD UNFAV.
- #H.1573 STUDENT-TEACHER CLASSROOM RATIO-LRC. H-REPTD UNFAV.
- H.1574 MEMORIALIZING DR. DEWEY H. BRIDGER. S-REPTD FAV; S-PASSED 2ND & 3RD READING.
- H.1575 MEMORIALIZING JAMES A. BRIDGER. S-REPTD FAV; S-PASSED 2ND & 3RD READING.
- #H.1577 AMENDING CH. 117,1971 SL. H-REPTD UNFAV.
- H.1578 ORGANIZED CRIME PREV. COUNCIL. S-REPTD FAV; S-PASSED 2ND & 3RD READING.
- #H.1579 ABC PRICE INCR.,MED. ASSIST.. H-REPTD FAV AS AMEND; H-POSTPONED INDEF.
- H.1580 18 YR. STATUTORY MAJORITY.(7/20) H-REPTD FAV; H-FLOOR AMENDS ADOPTED; H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- H.1581 LEIGIS ELECTRONIC VOTING UNITS.(7/20) H-FLOOR AMENDS ADOPTED; H-PASSED 2ND READING.
- H.1583 (J.RES.) MEMORIALIZING DAVID L. WARD. S-REC FROM HOUSE; S-PASSED 2ND & 3RD READING.
- H.1586 HORNEYTOWN PHONE SERVICE. H-ADOPTED.
- H.1588 MEMORIALIZING LOUIS E. AUSTIN. H-PASSED 2ND & 3RD READING.

LOCAL BILLS

- S. 718 (CURRITUCK) HUNTING FOWL-CURRITUCK SOUND.(7/14, 7/19) S-REC TO CONCUR IN H AMEND; S-FAILED TO CONCUR; S-COMF COM APPOINTED; S-RECONSIDERED LAST ACTION; S-CONCURRED IN H AMEND.
- #S. 843 (CALDWELL) LENOIR ELECTIONS.(6/30) RATIFIED CH. 978.
- #S. 899 (IREDELL) SCHOOL BD. COMPENSATION. RATIFIED CH. 918.
- #S. 902 (YANCEY) BD. EDUCATION ELECTIONS.(7/12) RATIFIED CH. 979.
- #S. 907 (ANSON) REMOVE EXEMPTION.(7/02) RATIFIED CH. 980.
- #S. 930 (HALIFAX, WARREN) LITTLETON TAX LISTING. H-REPTD UNFAV.
- #S. 935 (BLADEN) ELIZABETHTOWN ABC VOTE. H-REPTD UNFAV.
- S. 937 (WAYNE) POLICE JURIDICTION-SEVEN SPRINGS. H-PASSED 2ND & 3RD READING.
- #S. 950 (WAYNE) SCHOOL BOND ELECTION. RATIFIED CH. 991.
- #S. 958 (JACKSON) PAY RAISE-BD. OF COMM'RS CH'RMAN. RATIFIED CH.982.
- S. 965 (MECKLENBURG) AMENDING CH. 783,1971 SL.(7/14) H-PASSED 2ND & 3RD READING
- #S. 970 (GUILFORD) GIFT OF LANDS FOR DEAF SCHOOL. RATIFIED CH. 983.
- #S. 978 (EDGEcombe) AMENDING CH. 801,1971 SL. H-REPTD UNFAV.
- #S. 989 (NEW HANOVER) REPORTING DRUG TREATMENT CASES. S-POSTPONED INDEF.
- S. 991 (HENDERSON) REPEALING FLETCHER'S CHARTER. S-REPTD FAV; S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PASSED 2ND & 3RD READING.
- #H.1323 (GUILFORD) PRIVATE PARKING LOTS.(7/14) RATIFIED CH. 986.
- #H.1431 (WAKE) RALEIGH CIVIC CNTR. AUTH..(7/14) RATIFIED CH. 992.
- H.1436 (WAKE) AMEND RALEIGH CHARTER.(6/30, 6/30, 7/13, 7/14, 7/19) H-PASSED 3RD READING; S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND.
- #H.1469 (MECKLENBURG) AMEND PINEVILLE CHARTER. RATIFIED CH. 994.
- #H.1491 (BUNCOMBE) SCHOOL TAX REFERENDUM.(7/09) RATIFIED CH. 995.
- H.1513 (WAKE) RALEIGH/WAKE SOIL EROSION CONTROL.(7/19) S-REC FROM HOUSE; S-REF TO COM ON CALENDAR; S-REPTD FAV; S-PASSED 2ND & 3RD READING.
- #H.1522 (WAKE) WAKE/RALEIGH BD. EDUC. MERGER VOTE.(7/15) RATIFIED CH. 1005.
- H.1533 (JACKSON, TRANSYLVANIA) BOOZE BUYING-SYLVA,BREVARD. S-PASSED 2ND & 3RD READING.
- H.1534 (WAKE) RALEIGH CIVIL SERVICE COMM'N.(7/15) S-PASSED 2ND & 3RD READING.
- H.1541 (ASHE) W. JEFFERSON & JEFFERSON ABC STORES.(7/15, 7/20) S-COM AMEND ADOPTED; S-PASSED 2ND & 3RD READING; H-REC FROM SENATE; H-PLACED ON CALENDAR; H-CONCUR IN S AMEND.
- H.1549 (LEE) SANFORD FIREMEN'S PENSION FUND. S-PASSED 2ND & 3RD READING.
- H.1556 (FORSYTH) BEER & WINE SALES-ACAD. OF DANCE. S-REPTD FAV; S-PASSED 2ND & 3RD READING.

- H.1564 (FORSYTH) PARKING PENALTIES. S-REPTD FAV; S-PASSED 2ND
READING.
- H.1576 (HOKE, ROBESON, SCOTLAND) SCHOOL BD. LEASES AND CONTRACTS.
(7/20) S-REPTD FAV; S-FLOOR AMEND ADOPTED; S-PASSED 2ND
READING.
- H.1584 (HENDERSON) REPEALING FLETCHER'S CHARTER. H-REPTD FAV;
H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM
ON CALENDAR.

Next session of House and Senate : 9:00 a.m., Wednesday, July 21, 1971.

DAILY BULLETIN

The General Assembly of North Carolina

A LEGISLATIVE SERVICE OF THE INSTITUTE OF GOVERNMENT

STATE LEGISLATIVE BUILDING
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BULLETIN NO. 136

-1393-

WEDNESDAY, JULY 21, 1971

PUBLIC BILLS INTRODUCED

SENATE

S 997 Amending Ch. 872, 1971 SL
Introducer: Reed

GS 18A
Sent to CALENDAR

"To amend Chapter 872 of the 1971 Session Laws." Amends Ch. 872, 1971 SL (S 107, liquor law revision) by adding language providing that the provisions of Chapter 18A shall not apply to ethyl alcohol intended for use and or used for purposes already set out in act.

S 998 Senatorial districts-2
Introducer: Combs

GS 120
Sent to CALENDAR

"To establish senatorial districts and to apportion seats in the Senate among the districts based upon the 1970 census." Deletes present GS 120-1 and inserts new GS 120-1 establishing following senatorial districts for purposes of nominating and electing members of Senate in 1972 and every two years thereafter:

District 1: Hertford, Gates, Chowan, Perquimans, Pasquotank, Camden, Currituck, Tyrrell, and Dare Counties -- elect one senator.

District 2: Pitt, Greene, Beaufort, Washington, Hyde, and Edgecombe Counties -- elect two senators.

District 3: Craven, Carteret and Pamlico Counties -- elect one senator.

District 4: Onslow County -- elect one senator.

District 5: New Hanover and Pender Counties -- elect one senator.

District 6: Brunswick, Columbus, and Bladen Counties -- elect one senator.

District 7: Lenoir, Jones, and Duplin Counties -- elect one senator.

District 8: Wayne, Wilson, and Nash Counties - elect two senators.

District 9: Halifax, Bertie, and Martin Counties -- elect one senator.

District 10: Vance, Warren, Northampton, and Granville Counties -- elect one senator.

District 11: Wake, Johnston, and Franklin Counties -- elect three senators.

District 12: Cumberland, Harnett, and Sampson Counties -- elect three senators.

District 13: Hoke and Robeson Counties -- elect one senator.

District 14: Cabarrus, Stanly, Anson, Richmond, and Scotland Counties -- elect two senators.

District 15: Montgomery, Moore, Lee, Chatham, and Randolph Counties -- elect two senators.

District 16: Mecklenburg and Union Counties -- elect four senators.

District 17: Durham, Orange, Person, Caswell, and Rockingham Counties -- elect three senators.

District 18: Alamance County -- elect one senator.

District 19: Guilford County -- elect three senators.

District 20: Forsyth County -- elect two senators.

District 21: Davidson, Davie, and Rowan Counties -- elect two senators.



- District 22: Stokes, Surry, Alleghany, and Ashe Counties -- elect one senator.
District 23: Alexander, Avery, Caldwell, Mitchell, Watauga, Wilkes, and Yadkin Counties -- elect two senators.
District 24: Gaston, Cleveland, Burke, and McDowell Counties -- elect three senators.
District 25: Catawba, Iredell, and Lincoln Counties -- elect two senators.
District 26: Buncombe, Rutherford, and Yancey Counties -- elect two senators.
District 27: Cherokee, Clay, Graham, Haywood, Henderson, Jackson, Macon, Madison, Polk, Swain, and Transylvania Counties -- elect two senators.

HOUSE

- H 1589 State boundary in Madison County GS 141
Introducer: L. Ramsey Passed three readings
and sent to Senate

"To establish a segment of the State boundary in Madison County." Makes extensive description of a segment of the boundary of the State of NC in Madison County as surveyed at request of the Governors of NC and Tenn. Provides act to become effective upon ratification and with approval thereof, and concurrence therein, by the State of Tenn. and upon the approval and consent to act by the US Congress.

- H 1590 (House Resolution) ABC laws-LRC study STUDY
Introducer: High ADOPTED

"Directing the Legislative Research Commission to study the effects of the revision of 1971 of the intoxicating beverages laws." As title indicates, report to be made to 1973 General Assembly.

- H 1591 Higher ed. study comm'n-2 (Iden. S 820) STUDY, GS 116
Introducer: Andrews Sent to HIGHR ED

"To create a Legislative Study and Drafting Commission, and to provide effective means of program control and budget review, for public higher education in North Carolina." Identical with S 820, digested in Bulletin No. 113, p. 1047.

AMENDMENTS AND COMMITTEE SUBSTITUTES

SENATE BILLS

- S 837 Licensing grain dealers (digested in Bulletin No. 114, p. 1065)
Amendment adopted in House 7/21/71 amends definition of "dealer" to provide person must buy or contract to buy for resale more than \$25,000 worth of grain in any one calendar year (\$25,000 provision added).
- S 995 Unnumbered Senate dists. (digested in Bulletin No. 135, p. 1379; amendment digested in Bulletin No. 135, p. 1382)
Amendment adopted in House 7/21/71 deletes District 19 (Guilford) from the Senate districts with numbered seats.
- S 996 (Joint Resolution) Amending Joint Res. 990 (digested in Bulletin No. 135, p. 1381)
Technical amendment adopted in Senate 7/21/71.

HOUSE BILLS

- H 8 Legislative retirement repeal-2 (Iden. S 9, S 15, H 13, digested in Bulletin No. 1, p. 47)
Amendment adopted in House 7/21/71 repeals Ch. 905, 1971 SL (S 277, providing for contributions by members of the General Assembly to the Legislative Retirement Fund).
- H 1117 Second mortgage charges (digested in Bulletin No. 98, p. 871; Committee Substitute digested in Bulletin No. 122, p. 1193)
Clarifying amendment adopted in Senate 7/21/71.
Conferees report adopted by House and Senate 7/21/71 deletes provision that attorneys fees, recording fees, and appraisal fees shall not be included in the computation of rebates, and inserts in lieu thereof provision that appraisal or recording fees actually paid by the lender to others for appraisals and registration, and which did not inure to the benefit of the lender, shall not be included in the computation of rebates.
- H 1443 Ment. retarded-day care funds (digested in Bulletin No. 118, p. 1133; amendment digested in Bulletin No. 131, p. 1311)
Amendments adopted in Senate 7/21/71: (1) provide Dep't of Mental Health expenditures authorized by act to be made with approval of Council on Mental Retardation and Developmental Disabilities; (2) add provision funds authorized by act shall be applied to the mentally retarded and developmentally handicapped in sheltered environments and day care facilities and for the mentally retarded and developmentally handicapped children below the age of 6 years in a licensed non-profit residential facility, said facilities to be selected by Dep't Mental Health, and funds to be distributed only to State-licensed day care facilities and residential facilities; and (3) provide any additional funds generated from appropriate federal or other programs shall be used to provide additional services to severely or moderately mentally retarded individuals.
- H 1531 Pay raise-certain State positions (Iden. S 953, digested in Bulletin No. 128, p. 1262)
Amendments adopted in Senate 7/21/71: (1) provide salary increase shall not be in excess of 5% in each fiscal year (originally, flat 5% increase provided for); and (2) provide salary increases shall be subject to the approval of the Advisory Budget Comm'n.
- H 1580 18 yr. statutory majority-2 (digested in Bulletin No. 134, p. 1362; amendments digested in Bulletin No. 135, p. 1383)
Amendments adopted in Senate 7/21/71 delete from bill references to GS 97-2 (5), 105-4(b), 105-188(d), 134-27, 134-69, 134-84.7, 134-84.8, 134-86, and 134-108.

SENATE AND HOUSE

CALENDAR ACTION

JUL.21,1971

- NOTES: 1. Includes floor action in both Senate and House.
2. Dates in parenthesis indicate when amendments or committee substitutes were adopted.
3. Summary of texts of amendments and committee substitutes adopted today are in separate section of this Bulletin.
4. Ratified or Failed Bills are indicated by a #.

PUBLIC BILLS

- #S. 74 TUITION AID-MEDICAL STUDENTS.(7/15, 7/16, 7/20) RATIFIED CH. 1112.
#S. 83 CRIMINAL COURT COSTS.(6/28, 7/20) RATIFIED CH. 1129.
#S. 84 INHERITANCE TAX COLLECTION. RATIFIED CH. 1054.
#S. 155 TAX EXEMPTION AGREEMENTS.(7/16) RATIFIED CH. 1087.
#S. 249 PODIATRY DEFINED.(7/01) RATIFIED CH. 1211.
#S. 279 WORKMEN'S COMP.-PRISONERS.(4/01) RATIFIED CH. 1176.
#S. 300 OLD ROCK HOUSE FUNDS.(7/15, 7/19) RATIFIED CH. 1088.
#S. 323 UNCONSCIONABLE CONTRACTS REMEDY. RATIFIED CH. 1055.
#S. 326 SOYBEAN & FEED GRAIN FUNDING.(7/15) RATIFIED CH. 1056.
#S. 375 NAT'L DRIVING CENTER FOUNDATION.(7/15) RATIFIED CH. 1057.
#S. 395 SENATORIAL DISTRICTS.(6/30, 7/12, 7/14, 7/15, 7/15) RATIFIED CH. 1177.
#S. 428 VISUAL ENVIRONMENT CONTROLS.(6/23) RATIFIED CH. 1058.
#S. 432 WATER-AIR MANAGEMENT,CONTROLS.(6/29, 7/05, 7/07) RATIFIED CH. 1167.
#S. 435 BLANDWOOD RESTORATION FUNDS.(7/15, 7/19) RATIFIED CH. 1089.
#S. 460 WATER,AIR RES.-INTEREST CONFLICT.(6/09, 6/25) RATIFIED CH. 1090.
#S. 461 LOAN TRANSFER FEE.(5/11, 7/16, 7/20) RATIFIED CH. 1168.
#S. 486 REFORMATORIES-LAW REWRITE.(7/16) RATIFIED CH. 1169.
#S. 503 ADOPTED CHILD BIRTH CERTIFICATE.(6/24) RATIFIED CH. 1059.
#S. 514 REDEV. COMM'NS-PRIVATE SALES.(6/18, 6/21) RATIFIED CH. 1060.
#S. 525 NC PESTICIDE LAW OF 1971-FUNDS.(7/15, 7/15, 7/19) RATIFIED CH. 1091.
#S. 532 LABOR MANAGERS-LICENSE TAX.(7/16) RATIFIED CH. 1130.
#S. 551 CLARIFYING CH.218,SL 1971.(5/19) RATIFIED CH. 1142.
#S. 563 RESCUE SQUAD DEATH BENEFITS.(7/16) RATIFIED CH. 1131.
#S. 569 CIVIL PROCEDURE CHANGES.(6/02, 7/19, 7/19) RATIFIED CH. 1156.
#S. 572 CAUSE OF ACTION ACCRUAL.(5/20, 7/19, 7/19) RATIFIED CH. 1157.
#S. 577 PURCHASED GAS ADJUSTMENT CLAUSES.(6/01) RATIFIED CH. 1092.
#S. 581 HANDLERS OF FARM PRODUCTS.(5/21, 5/26) RATIFIED CH. 1064.
#S. 586 DIVORCE VALIDATIONS. RATIFIED CH. 1065.
#S. 591 FINING WCU TRAFFIC OFFENDERS.(7/19) RATIFIED CH. 1132.
#S. 595 TECHNICAL CORRECTIONS-GEN. STATS..(6/15) RATIFIED CH. 1093.
S. 598 CORPORATION ACT AMENDMENTS.(6/24, 7/20) H-PASSED 3RD READING;
S-REC TO CONCUR IN H AMEND; S-FAILED TO CONCUR; S-CONF COM
APPOINTED; H-CONF COM APPOINTED.

- #S. 621 LIMITED DRIVING-OLD CONVICTIONS.(7/19, 7/19) RATIFIED CH. 1133.
- #S. 625 LITERARY FUND INTEREST RATE. RATIFIED CH. 1094.
- #S. 626 SCHOOL UNIT EMPLOYEE BONDS. RATIFIED CH. 1095.
- #S. 627 USE OF LITERARY FUND LOANS. RATIFIED CH. 1096.
- #S. 628 PUB. BLDGS., SYSTEMS MGMT. LAWS.(6/14, 7/16) RATIFIED CH. 1097.
- #S. 655 PORK PRICING STUDY COMM'N. RATIFIED CH. 1098.
- #S. 656 OFF-SITE COMPONENTS APPROVAL. RATIFIED CH. 1099.
- #S. 657 BUILDING CODE CLARIFICATION.(6/18, 6/22) RATIFIED CH. 1100.
- #S. 658 DEFAULT JUDGMENTS.(6/25) RATIFIED CH. 1101.
- #S. 660 EMINENT DOMAIN-COURT COSTS.(7/06) RATIFIED CH. 1102.
- #S. 661 HIGHWAY COMMISSION LEGAL COUNSEL. RATIFIED CH. 1103.
- #S. 662 HIGHWAY RELOCATION ASSISTANCE. RATIFIED CH. 1104.
- #S. 663 CONDEMNATION FOR PARKWAYS. RATIFIED CH. 1105.
- #S. 665 HIGHWAY DISTRICT CAMP SITES. RATIFIED CH. 1106.
- #S. 667 UNIFORM RELOCATION ASSISTANCE ACT.(6/16) RATIFIED CH. 1107.
- #S. 669 TRANSIT SYSTEM FUEL TAX REFUNDS.(6/14, 7/19) H-PASSED 3RD READING; S-REC TO CONCUR IN H AMEND; S-CONCURRED IN H AMEND; RATIFIED CH. 1221.
- #S. 674 OCCUPATIONAL DEAFNESS, COMP..(6/25) RATIFIED CH. 1108.
- #S. 677 JUVENILE PROBATION OFFICERS-APP..(7/19) RATIFIED CH. 1134.
- #S. 678 ESCHEAT PENALTY. RATIFIED CH. 1109.
- #S. 679 ESCHEAT REPORTS. RATIFIED CH. 1110.
- #S. 680 ESCHEAT, STATUTE OF LIMITATIONS.(6/28) RATIFIED CH. 1111.
- #S. 681 ESCHEAT LAW REVISION.(6/25) RATIFIED CH. 1135.
- #S. 682 ESCHEAT-FEDERAL COURT. RATIFIED CH. 1113.
- #S. 686 SECOND DISMISSAL FROM SCHOOL.(7/20) RATIFIED CH. 1158.
- #S. 689 MOTOR VEHICLE LENDERS.(6/30) H-PASSED 3RD READING; RATIFIED CH. 1212.
- #S. 698 CHARITABLE GROUPS TAX EXEMPTION.(6/07) RATIFIED CH. 1136.
- #S. 703 COSTS IN CONDEMNATION ACTIONS.(6/17, 7/06) RATIFIED CH. 1137.
- #S. 708 INDEXING CROP LIEN-PROPERTY OWNER. RATIFIED CH. 1170.
- #S. 719 INTERSTATE FIRE FIGHTING COMPACT.(6/18) RATIFIED CH. 1171.
- #S. 723 ENFORCE MOBILE HOME STANDARDS.(6/10) RATIFIED CH. 1172.
- #S. 733 WORKMEN'S COMP.-EMPLOYEE DEATH-3.(7/05) RATIFIED CH. 1179.
- #S. 735 DRIVER LICENSE PROBATION. H-REMOVED FROM UNFAV CAL; H-PASSED 2ND & 3RD READING; RATIFIED CH. 1198.
- #S. 736 JUVENILE COURT CHANGES.(6/28) RATIFIED CH. 1180.
- #S. 746 NEXT FRIEND COSTS. RATIFIED CH. 1181.
- #S. 754 WORKMEN'S COMP.-TOTAL DISABILITY-2. RATIFIED CH. 1182.
- #S. 757 CONTROL OF BIOLOGICAL RESIDUES.(6/14) RATIFIED CH. 1183.
- #S. 772 POSTAL SAVINGS ESCHEAT. RATIFIED CH. 1184.
- #S. 786 PERMIT FEES FOR PEN-RAISED QUAIL.(7/15) RATIFIED CH. 1114.
- #S. 796 CONFORMING STATUTES TO GS CH. 7A. RATIFIED CH. 1185.
- #S. 813 INSUR. PREMIUM FINANCING.(6/28) RATIFIED CH. 1186.
- #S. 816 SEED POTATO LAW CHANGES.(7/06) RATIFIED CH. 1187.
- #S. 819 LEGIS. BLDG. GOV. COMM'N. H-FLOOR AMENDS FAILED; H-PASSED 3RD READING; RATIFIED CH. 1222.
- #S. 822 HIGHER ED. SELF-LIQUIDATING BONDS. RATIFIED CH. 1061.

- #S. 823 CREDIT FRAUDS.(7/20) S-REC TO CONCUR H AMENDS; S-CONCURRED IN H AMENDS; RATIFIED CH. 1213.
- #S. 825 SMALL WATERSHED CHANGES.(7/06, 7/15) RATIFIED CH. 1138.
- #S. 826 GOV'S MANSION BLDG. COMM'N. RATIFIED RES. 120.
- #S. 832 ASS'T SCHOOL SUPT CONTRACTS. RATIFIED CH. 1188.
- #S. 836 APPEALS FROM IND'L COMM'N. RATIFIED CH. 1189.
- #S. 837 LICENSING GRAIN DEALERS.(7/21) H-REPTD FAV AS AMEND; H-COM AMEND ADOPTED; H-PASSED 3RD READING; H-3RD & 2ND RECONSIDERED; H-POSTPONED INDEF.
- #S. 844 CONFORMING GS CH. 23 WITH GS CH. 7A. RATIFIED CH. 1190.
- #S. 848 REGULATING AUTO INSURANCE RATES-4.(7/05, 7/15, 7/15) RATIFIED CH. 1115.
- #S. 851 MARINE SCIENCE COUNCIL.(7/06) RATIFIED CH. 1191.
- #S. 852 PRIVATE SCHOOL BUSES.(7/06) RATIFIED CH. 1192.
- #S. 855 DETENTION OF MENTALLY ILL.(7/08) RATIFIED CH. 1193.
- #S. 859 AMEND CH. 508,1971 SL.(7/05) RATIFIED CH. 1194.
- #S. 863 (J.RES.) 'CONVICTION' DEFINITION. RATIFIED RES. 121.
- #S. 873 HIGHWAY COMM'N-TAKING W/O COMPLAINT. RATIFIED CH. 1195.
- #S. 881 INTEREST ON AGRICULTURAL LOANS.(7/07) H-REPTD UNFAV.
- #S. 891 EXEC. ORDERS-PUBLICATION. RATIFIED CH. 1196.
- #S. 895 POSSESSORY LIEN; CORRECTION-2. RATIFIED CH. 1197.
- #S. 897 REVOC. PROCEDURE-INSUR. LICENSE. H-RECALLED FROM ENROLLING; H-POSTPONED INDEF.
- #S. 904 CAP. IMPROVEMENT BOND VOTE.(7/19) RATIFIED CH. 1199.
- #S. 908 DRAINAGE DIST. TITLE ACQUISITION. H-REPTD UNFAV.
- #S. 916 GENERAL ASSEMBLY EXPENSE PAYMENTS. RATIFIED CH. 1200.
- #S. 924 INSURANCE LAPSE HEARINGS. H-PASSED 2ND & 3RD READING; RATIFIED CH. 1218.
- #S. 926 PERMANENT TAX STUDY COMM'N CREATED. H-PASSED 2ND & 3RD READING; RATIFIED CH. 1219.
- #S. 931 VEHICLE REMOVAL-SERVICE STATIONS-2.(7/08) H-PASSED 2ND & 3RD READING; RATIFIED CH. 1220.
- #S. 932 SUBSID. & AFFIL. CORP.-TAXES. H-PASSED 2ND & 3RD READING; RATIFIED CH. 1223.
- #S. 936 (J.RES.) CREATING STATE FAIR COMM'N.(7/14) H-PASSED 2ND & 3RD READING; RATIFIED RES.123.
- #S. 942 AMEND CH. 241,1971 SL. H-PASSED 2ND & 3RD READING; RATIFIED CH. 1224.
- #S. 960 REPEALING CHAPTER 562,1971 SL. H-PASSED 2ND & 3RD READING; RATIFIED CH. 1225.
- #S. 973 (J.RES.) ST. GOV. REORG.-LRC REVIEW.(7/20) RATIFIED RES. 114.
- #S. 981 LSC MEMBERSHIP. RATIFIED CH. 1116.
- #S. 985 UNUSED MATCHING FUNDS. H-PASSED 2ND & 3RD READING; RATIFIED CH. 1226.
- #S. 986 (J.RES.) MEMORIALIZING JUDGE MINTZ. H-PASSED 2ND & 3RD READING; RATIFIED RES. 124.
- #S. 987 REDEFINES 1ST SECURITY INSTRUMENT-1. H-POSTPONED INDEF.
- #S. 993 LEGIS. ELECTRONIC VOTING UNITS. S-RE-REF COM ON RULES; S-POSTPONED INDEF..
- #S. 994 FUNDS FOR MEDICALLY NEEDY.(7/20, 7/20) RATIFIED CH. 1202.

- #S. 995 UNNUMBERED SENATE DISTS..(7/20, 7/21) H-REPTD FAV AS AMEND;
H-COM AMEND ADOPTED; H-PASSED 2ND & 3RD READING; RATIFIED
CH. 1234.
- #S. 996 (J.RES.) AMENDING JOINT RESOLUTION 990.(7/21) S-REPTD FAV;
S-FLOOR AMEND ADOPTED; S-FAILED 2ND READING.
- #S. 997 AMENDING CH. 872,1971 SL HISTORY OF. S-REF TO COM ON
CALENDAR; S-REPTD FAV; S-PASSED 2ND & 3RD READING; H-REC
FROM SENATE; H-PASSED 2ND & 3RD READING; RATIFIED CH. 1233.

- H. 8 LEGISLATIVE RETIREMENT AND REPEAL.(7/21) H-FLOOR AMEND
ADOPTED; H-PASSED 3RD READING; S-REC FROM HOUSE; S-REF TO
COM ON CALENDAR.
- H. 117 OIL-GAS ACT TRIGGER. H-WITHDRAWN FROM COM; H-RE-REF TO
CALENDAR COM.
- #H. 138 LIQUOR LAW REVISION. H-POSTPONED INDEF.
- #H. 150 STATE ABC BOARD REORGANIZATION. H-POSTPONED INDEF.
- #H. 178 BROWN BAGGING LIMITATIONS. H-POSTPONED INDEF.
- #H. 182 LAW OFFICERS' SICK LEAVE. S-REC FROM HOUSE; S-REF TO COM ON
CALENDAR; S-REPTD FAV; S-PASSED 2ND & 3RD READING; RATIFIED
CH. 1235.
- #H. 265 HISTORIC MURFREESBORO.(7/15, 7/19) RATIFIED CH. 1066.
- #H. 275 TAX CLASSIFICATION-WATER COMPANIES.(7/09, 7/12, 7/13)
RATIFIED CH. 1121.
- #H. 286 INCREASE COMMISSION MEMBERS' PAY.(7/12, 7/19) RATIFIED CH.
1139.
- #H. 320 DOCTORS' SPEED LIMITS.(6/15, 6/17, 7/14, 7/20) H-REPTD FAV;
H-PASSED 2ND & 3RD READING; RATIFIED CH. 1214.
- #H. 373 HISTORIC HOPE RESTORATION FUNDS.(7/15, 7/19) RATIFIED CH.
1117.
- #H. 428 BLIND RELIEF,STATE RESIDENCE.(4/05) S-PASSED 3RD READING;
RATIFIED CH. 1215.
- #H. 479 HISTORIC EDENTON FUNDS.(7/15, 7/19) RATIFIED CH. 1118.
- #H. 487 OUT-OF-STATE COSTS-MENTALLY ILL.(7/15) RATIFIED CH. 1140.
- #H. 547 RESTORING WRIGHT TAVERN FUNDS.(7/15, 7/19) RATIFIED CH. 1119.
- #H. 564 BURWELL SCHOOL RESTORATION.(7/15, 7/19) RATIFIED CH. 1120.
- #H. 619 STANLY TECHNICAL INSTITUTE FUNDS.(7/15, 7/15) RATIFIED CH.
1146.
- #H. 649 ENVIRONMENTAL POLICY ACT.(5/28, 7/08) RATIFIED CH. 1203.
- #H. 672 OLD WILKES JAIL FUND.(7/15) RATIFIED CH. 1033.
- #H. 697 INDIAN HEALTH APPROPRIATION. RATIFIED CH. 1034.
- #H. 705 COASTAL PROTECTION,BEACH EROSION.(5/27, 5/31, 7/12, 7/13,
7/15, 7/19) RATIFIED CH. 1159.
- #H. 749 DISMAL SWAMP PARK FUNDS.(7/15) RATIFIED CH. 1035.
- #H. 811 INDUS. COMM'N EMPLOYEES' PAY. RATIFIED CH. 1147.
- #H. 814 HIGHER ED.-AID,FUNDS.(7/14) RATIFIED CH. 1148.
- #H. 816 DEPT. OF AGRI.-FUNDS.(7/15) RATIFIED CH. 1036.
- #H. 840 MANPOWER COUNCIL APPROPRIATION.(7/15) RATIFIED CH. 1037.
- #H. 881 SHIPWRECK SALVAGE APPROP.. RATIFIED CH. 1037.
- #H. 910 APPLE RESEARCH FUNDS. RATIFIED CH. 1039.
- #H. 916 APPLY NC LAW TO FOREIGN INSURERS.(7/13, 7/20) RATIFIED CH.
1204.

- #H. 922 FISHERIES DIVISION APPROPRIATION. RATIFIED CH. 1040.
- #H. 943 TEACHER-EMPLOYEE PENSION FUNDS. RATIFIED CH. 1041.
- #H. 946 NURSE PRACTITIONER FUNDS. (7/15) RATIFIED CH. 1042.
- #H. 1069 BEACH EROSION REVOLVING FUNDS. (7/15) RATIFIED CH. 1043.
- #H. 1070 SEWAGE DISPOSAL PLANNING ACT FUNDS. (7/15) RATIFIED CH. 1044.
- #H. 1072 FLOOD AND BEACH EROSION FUNDS. RATIFIED CH. 1046.
- #H. 1077 DRUG AUTHORITY FUNDS. (7/15, 7/15) RATIFIED CH. 1047.
- #H. 1090 GROUNDS FOR DIVORCE-INSANITY. (6/29, 7/15) RATIFIED CH. 1173.
- #H. 1091 LEGISLATIVE FISCAL RESEARCH FUNDS. (7/15) RATIFIED CH. 1048.
- #H. 1117 SECOND MORTGAGE CHARGES. (7/01, 7/01, 7/20, 7/21) S-FLOOR AMEND ADOPTED; S-FLOOR AMEND FAILED; S-PASSED 2ND & 3RD READING; H-CONF COM APPOINTED; H-CONF REPORT ADOPTED; S-CONF REPORT ADOPTED; RATIFIED CH. 1229.
- #H. 1128 PUB. BLDGS., SYSTEMS MGMT. LAWS. H-POSTPONED INDEF.
- #H. 1138 VOCATIONAL REHAB CENTERS-FUNDS. (7/15) RATIFIED CH. 1049.
- #H. 1147 BROUGHTON HOSP. NEUROSURGICAL UNIT. (7/15) RATIFIED CH. 1050.
- #H. 1192 NCCU HOME EC BUILDING FUNDS. RATIFIED CH. 1051.
- #H. 1196 TERM AND PAY OF PRINCIPALS. (7/15) RATIFIED CH. 1052.
- #H. 1198 FINANCIAL RESPONSIBILITY CHANGES. (7/12, 7/12, 7/13, 7/13, 7/15) RATIFIED CH. 1205.
- #H. 1205 GAS TAX REFUNDS TO FIRE DEPT'S. (7/16) RATIFIED CH. 1160.
- #H. 1207 ECU MED. SCHOOL FUNDS. (7/12) RATIFIED CH. 1053.
- #H. 1210 FIRST MORTGAGE LENDING LIMIT. (6/16, 7/12) RATIFIED CH. 1122.
- #H. 1231 EXEMPT CHARITABLE INSURERS. (7/12) RATIFIED CH. 1067.
- #H. 1235 TEACHERS' TERM, PAY. (7/15) RATIFIED CH. 1068.
- #H. 1241 CEMETERIES FOR PRIVATE GAIN. RATIFIED CH. 1149.
- #H. 1247 TAX CREDIT-ASSIST HANDICAPPED. (7/12, 7/15) RATIFIED CH. 1206.
- #H. 1272 LOCAL HUMAN RELATIONS PROGRAMS. (7/20) RATIFIED CH. 1207.
- #H. 1282 DMV REGISTRATION RECORDS. RATIFIED CH. 1070.
- #H. 1291 SCHOOL SUPERVISORS-12 MONTH TERM. (7/15) RATIFIED CH. 1071.
- #H. 1293 HOUSING AUTHORITY INVESTMENTS. (7/13, 7/16) RATIFIED CH. 1161.
- #H. 1294 (J. RES.) PUBLIC HEALTH SERVICES-STUDY COMM'N. (7/13) RATIFIED RES. 116.
- #H. 1300 SPCA REALTY-PROPERTY TAX EXEMPT. (7/16) RATIFIED CH. 1162.
- #H. 1327 MARRIAGE LICENSE RETURN. RATIFIED CH. 1072.
- #H. 1336 SPCA PERSONALTY EXEMPT-PROP. TAX. (7/16) RATIFIED CH. 1163.
- #H. 1337 CHARLOTTE NAT'L GUARD ARMORY. RATIFIED CH. 1073.
- #H. 1341 TRUSTS FOR COUNTIES. RATIFIED CH. 1074.
- #H. 1342 TOXIC VAPORS ACT. (7/19) RATIFIED CH. 1208.
- #H. 1343 GOVERNOR'S WESTERN MANOR. (7/15) RATIFIED CH. 1075.
- #H. 1351 COMMUNITY DRUG ABUSE PROGRAM-2. RATIFIED CH. 1123.
- #H. 1357 CHANGE OF VENUE MOTIONS. S-REPTD FAV; S-PASSED 2ND & 3RD READING; RATIFIED CH. 1236.
- #H. 1377 LOCAL BROWN BAG LICENSE TAX. H-POSTPONED INDEF.
- #H. 1387 CHOWAN FIRE CONTROL FUNDS. (7/15) RATIFIED CH. 1124.
- #H. 1397 MEDICAL PRACTICE TECHNICAL CHANGES. (7/15) RATIFIED CH. 1150.
- #H. 1398 HEALTH FACILITIES. RATIFIED CH. 1164.
- #H. 1410 TRANSFERRING BURIAL ASS'N BENEFITS. RATIFIED CH. 1151.
- #H. 1422 MUNICIPAL ELECTONS & LAND USE. (7/13, 7/19) RATIFIED CH. 1076.
- #H. 1425 COMPENSATION OF COUNTY COMM'RS. RATIFIED CH. 1125.
- #H. 1430 CLEAN WATER BONDS DEBT SERVICE. RATIFIED CH. 1077.

- #H.1432 MUNICIPAL GAS SYSTEMS.(7/19) RATIFIED CH. 1145.
- #H.1433 MENT. RETARDED-DAY CARE FUNDS.(7/14, 7/21) S-TAKEN FROM TABLE; S-FLOOR AMENDS ADOPTED; S-PASSED 2ND & 3RD READING; H-REC TO CONCUR IN S AMEND; H-CONCUR IN S AMEND; RATIFIED CH. 1227.
- #H.1440 FIRST OFFENDER EXPUNCTION.(7/08) RATIFIED CH. 1078.
- #H.1453 AMEND CH. 688,1971 SL. RATIFIED CH. 1079.
- #H.1461 REVOC. PROCEDURE-INSUR. LICENSE. RATIFIED CH. 1080.
- #H.1466 FUNDS FOR AID TO AGED INCREASE. RATIFIED CH. 1081.
- #H.1468 FLOOD,BEACH PROTECTION FUNDS. RATIFIED CH. 1082.
- #H.1473 SETTING GOVERNOR'S PAY. RATIFIED CH. 1083.
- #H.1476 GROUP INSUR.-RETARDED CHILDREN. RATIFIED CH. 1126.
- #H.1482 MONROE POULTRY DISEASE LABORATORY. RATIFIED CH. 1084.
- #H.1495 CANCEL 1971 ELECTION-18 YR. VOTE. RATIFIED CH. 1141.
- #H.1500 EASEMENTS TO FILL GRANTS. S-POSTPONED INDEF..
- #H.1503 NUMBERED HOUSE DISTRICTS.(7/14, 7/14, 7/15) S-REPTD FAV; S-PASSED 2ND & 3RD READING; S-RECALLED FROM ENROLLING; S-RECONSIDERED 3RD READING; S-PASSED 3RD READING; RATIFIED CH. 1237.
- #H.1505 ECU MED. SCHOOL ON BD. OF ANATOMY. RATIFIED CH. 1127.
- #H.1514 18 YEAR OLD TOBACCO WEIGHERS. RATIFIED CH. 1085.
- #H.1523 CLEANING UP POULTRY LAW. RATIFIED CH. 1152.
- #H.1525 EDUC. OPPORTUNITIES INFO. CENTER.(7/15) RATIFIED CH. 1086.
- H.1529 ABC TAX FOR MEDICAID.(7/19, 7/19, 7/19) S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.
- #H.1531 PAY RAISE-CERTAIN STATE POSITIONS.(7/15, 7/21, 7/21) S-FLOOR AMEND ADOPTED; S-FLOOR AMEND FAILED; S-PASSED 2ND READING; S-FLOOR AMEND ADOPTED; S-PASSED 3RD READING; H-REC TO CONCUR IN S AMEND; H-CONCUR IN S AMEND; RATIFIED CH. 1232.
- #H.1551 (J.RES.) AUTO INSURANCE STUDY COMM'N.(7/20) RATIFIED RES. 122.
- #H.1555 REDEFINES 1ST SECURITY INSTRUMENT-2. RATIFIED CH. 1165.
- #H.1557 TAXES FOR PAYMENT OF BONDS.(7/16) S-PASSED 3RD READING; RATIFIED CH. 1216.
- #H.1558 GENERAL ASSEMBLY FUNDS. RATIFIED CH. 1128.
- #H.1559 ELECTION LAW TECH. AMENDMENTS. RATIFIED CH. 1166.
- #H.1562 (J.RES.) ST. GOV. REORG.-LRC REVIEW. H-POSTPONED INDEF.
- #H.1574 MEMORIALIZING DR. DEWEY H. BRIDGER. RATIFIED RES. 117.
- #H.1575 MEMORIALIZING JAMES A. BRIDGER. RATIFIED RES. 118.
- #H.1578 ORGANIZED CRIME PREV. COUNCIL. RATIFIED RES. 119.
- #H.1580 18 YR. STATUTORY MAJORITY.(7/20, 7/21) S-REPTD FAV AS AMENDED; S-COM AMENDS ADOPTED; S-FLOOR AMEND FAILED; S-PASSED 2ND READING; S-PASSED 3RD READING; H-REC TO CONCUR IN S AMEND; H-CONCUR IN S AMEND; RATIFIED CH. 1234.
- #H.1581 LEIGIS ELECTRONIC VOTING UNITS.(7/20) H-PASSED 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON RULES; S-REPTD FAV; S-PASSED 2ND & 3RD READING; RATIFIED CH. 1230.
- #H.1583 (J.RES.) MEMORIALIZING DAVID L. WARD. RATIFIED RES. 115.
- H.1587 SALARY INCREASES HIGHER ED.-2. H-FLOOR AMEND FAILED; H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON CALENDAR.

- #H.1588 MEMORIALIZING LOUIS E. AUSTIN. S-REC FROM HOUSE; S-REF TO COM ON CALENDAR; S-REPTD FAV; S-PASSED 2ND & 3RD READING; RATIFIED RES. 125.
- #H.1589 STATE BOUNDARY IN MADISON COUNTY. H-PASSED 2ND & 3RD READING; S-REC FROM HOUSE; S-REF TO COM ON CALENDAR; S-RETPD FAV; S-PASSED 2ND & 3RD READING; RATIFIED CH. 1238.
- #H.1590 ABC LAWS-LRC STUDY. ADOPTED.

LOCAL BILLS

- #S. 718 (CURRITUCK) HUNTING FOWL-CURRITUCK SOUND.(7/14, 7/19) RATIFIED CH. 1178.
- #S. 888 (CLEVELAND) DRIVE-IN MOVIES. RATIFIED CH. 1062.
- #S. 892 (WARREN) COUNTY COMM'RS-4 YEAR TERMS. RATIFIED CH. 1063.
- #S. 937 (WAYNE) POLICE JURIDICTION-SEVEN SPRINGS. RATIFIED CH. 1143.
- #S. 965 (MECKLENBURG) AMENDING CH. 783,1971 SL.(7/14) RATIFIED CH. 1144.
- #S. 991 (HENDERSON) REPEALING FLETCHER'S CHARTER. RATIFIED CH. 1201.
- #H.1182 (VANCE) WINE SALE RESTRICTIONS. H-POSTPONED INDEF.
- #H.1276 (BUNCOMBE, FORSYTH, ORANGE) REGISTERED INSTRUMENTS INDEX. (7/13) RATIFIED CH. 1069.
- #H.1392 (SCOTLAND) WINE SALES. H-POSTPONED INDEF.
- #H.1436 (WAKE) AMEND RALEIGH CHARTER.(6/30, 6/30, 7/13, 7/14, 7/19) RATIFIED CH. 1209.
- #H.1513 (WAKE) RALEIGH/WAKE SOIL EROSION CONTROL.(7/19) RATIFIED CH. 1210.
- #H.1533 (JACKSON, TRANSYLVANIA) BOOZE BUYING-SYLVA,BREVARD. RATIFIED CH. 1153.
- #H.1534 (WAKE) RALEIGH CIVIL SERVICE COMM'N.(7/15) RATIFIED CH. 1154.
- #H.1541 (ASHE) W. JEFFERSON & JEFFERSON ABC STORES.(7/15, 7/20) RATIFIED CH. 1174.
- #H.1549 (LEE) SANFORD FIREMEN'S PENSION FUND. RATIFIED CH. 1155.
- #H.1554 (LENOIR) LIMIT DEER HUNTING. S-REPTD UNFAV.
- #H.1556 (FORSYTH) BEER & WINE SALES-ACAD. OF DANCE. RATIFIED CH. 1175.
- #H.1564 (FORSYTH) PARKING PENALTIES. S-PASSED 3RD READING; RATIFIED CH. 1217.
- #H.1576 (HOKE, ROBESON, SCOTLAND) SCHOOL BD. LEASES AND CONTRACTS. (7/20) S-PASSED 3RD READING; RATIFIED CH. 1228.
- #H.1584 (HENDERSON) REPEALING FLETCHER'S CHARTER. S-REPTD FAV; S-POSTPONED INDEF..

The House and Senate adjourned at 12:00 Noon official time and 3:50 p.m., actual time, Wednesday, July 21, 1971, to reconvene October 26, 1971, for consideration of matters relating only to the restructuring of higher education.

